

## AN ACT

D.C. ACT 15-356

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

To amend, on an emergency basis, the District of Columbia Noise Control Act of 1977 to exempt the Georgetown underground utility infrastructure upgrade project, known as the "Georgetown Project," from the maximum noise level restrictions; and the Title 12A of the District of Columbia Municipal Regulations to exempt the Georgetown Project from the limitations on after-hours work.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Georgetown Project Emergency Amendment Act of 2004".

Sec. 2. The District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 2700 *et seq.*), is amended as follows: DCMR

(a) Section 3 (20 DCMR § 2799.1) is amended by inserting a new subsection (f-2) to read as follows:

"(f-2) Georgetown Project – The project (which commenced in September 2001 and is scheduled to be completed no later than December 31, 2005) that is being undertaken by the District of Columbia government, the Potomac Electric Power Company, Washington Gas Light Company, the District of Columbia Water and Sewer Authority, and Verizon of Washington, D.C. to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and landscaping adjacent to the Georgetown Business District, which is geographically defined as the commercial properties along M Street, N.W., between 28<sup>th</sup> Street, N.W., and Key Bridge and along Wisconsin Avenue, N.W., between K Street, N.W., and S Street, N.W."

(b) Section 5 is amended by adding a new subsection (f) to read as follows:

"(f) Notwithstanding any other provision of this act, noise emanating from construction equipment and any activities related to the Georgetown Project shall be exempt at all times from any noise limitations contained in this act, including section 5(a), (b), (d)(2), and (e)(2), and shall not be subject to enforcement under any provision of this act."

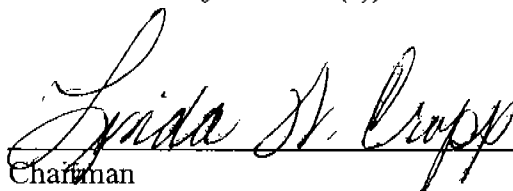
## ENROLLED ORIGINAL

Sec. 3. Section 107 of Title 12A of the District of Columbia Municipal Regulations (12A DCMR § 107), is amended by adding a new subsection 107.2.8.2 to read as follows:

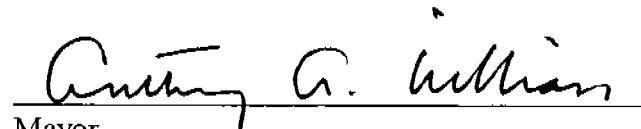
"107.2.8.2 Georgetown Project: The limitations on the issuance of after-hours permits set forth in section 107.2.8.1 shall not apply to after-hours work related to the Georgetown Project. For the purposes of this section, the "Georgetown Project" means the project (which commenced in September 2001 and is scheduled to be completed no later than December 31, 2005) that is being undertaken by the District of Columbia government, the Potomac Electric Power Company, Washington Gas Light Company, the District of Columbia Water and Sewer Authority, and Verizon of Washington, D.C. to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and landscaping adjacent to the Georgetown Business District, which is geographically defined as the commercial properties along M Street, N.W., between 28<sup>th</sup> Street, N.W., and Key Bridge and along Wisconsin Avenue, N.W., from K Street, N.W., to S Street, N.W."

Sec. 4. This bill will have no ascertainable fiscal impact, as it merely limits the application of the maximum permissible noise level limitations and the limitations on after-hours construction.

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 19, 2004

## COUNCIL OF THE DISTRICT OF COLUMBIA

## OFFICE OF THE BUDGET DIRECTOR

## FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency( X ) Temporary ( ) Permanent ( )	Date Reported: February 1, 2004
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Subject/Short Title: "Georgetown Project Second Emergency Amendment Act of 2004"
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Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	( )	(x)
a) It will affect local expenditures.	( )	( )
b) It will affect federal expenditures.	( )	( )
c) It will affect private/other expenditures.	( )	( )
d) It will affect intra-District expenditures.	( )	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	( )	( )
a) It will impact local revenue.	( )	( )
b) It will impact federal revenue.	( )	( )
c) It will impact private/other revenue.	( )	( )
d) It will impact intra-District revenue.	( )	( )
3. The bill will have NO or little fiscal impact on spending or revenue. (If "Yes," explain below).	( )	(X)
Explanation		

Part II. Other Impact of the Bill		
If you check "Yes" for each question, please explain on separate sheet.		
	YES	NO
1. It will affect an agency and/or agencies in the District.	( )	(x)
2. Will there be performance measures/output for this amendment?	( )	(x)
3. Will it have results/outcome, i.e., what would happen if this amendment is enacted or not enacted?	( )	(x)
4. Will the Budget and Financial Plan be affected by this bill?	( )	(x)

Sources of information: Staff	Councilmember: Jack Evans
	Staff Person & Tel: Schannette Grant, 724-8058
	Reviewed by Budget Director:
	Budget Office Tel: 202-724-8139

AMR/CLAU  
2/2/04

AN ACT  
D.C. ACT 15-357Codification  
District of  
Columbia  
Official Code

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to allow District of Columbia government employees who serve in the reserve units of the United States Armed Forces and who have been called or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, to receive a pay differential.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Operation Enduring Freedom and Operation Iraqi Freedom Active Duty Pay Differential Extension Emergency Amendment Act of 2004".

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 1103(a) (D.C. Official Code § 1-611.03(a)) is amended by adding a new paragraph (7) to read as follows:

Note,  
§ 1-611.03

“(7)(A) Any full-time permanent, term, or TAPER District government employee who serves in a reserve component of the United States Armed Forces and who has been or will be called to active duty as a result of Operation Enduring Freedom, or in preparation for or as a result of Operation Iraqi Freedom, shall receive, upon application and approval, an amount that equals the difference in compensation between the employee's District government basic pay and the employee's basic military pay. This amount shall not be considered as basic pay for any purpose. This amount shall be paid for any period following the formal inception of Operation Enduring Freedom in 2001, any period following the beginning of the preparation for Operation Iraqi Freedom in 2002 and 2003, or for any period following the formal inception of Operation Iraqi Freedom in 2003, during which the employee is carried in a non-pay status, from the time the employee is called to active duty until the employee is released from active duty occasioned by any of these military conflicts.

"(B) The Mayor shall issue rules within 30 days of July 22, 2003 to implement the provisions of this paragraph."

(b) Section 1111(d) (D.C. Official Code § 1-611.11(d)) is amended by striking the phrase "and (6)" and inserting the phrase "and (7)" in its place.


Note,  
§ 1-611.11

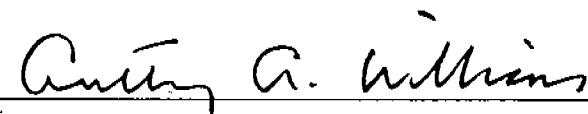
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

AN ACT  
D.C. ACT 15-358

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To establish, on an emergency basis, due to Congressional review, the Rehabilitation Services Program to assist individuals with disabilities in achieving gainful employment, and to authorize the Mayor to establish an economic needs test to be used in determining the ability of applicants for and recipients of vocational rehabilitation services to contribute to payment of the costs of the vocational rehabilitation services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rehabilitation Services Program Establishment Congressional Review Emergency Act of 2004".

Sec. 2. Establishment of the Rehabilitation Services Program.

(a) There is established a Rehabilitation Services Program that shall provide comprehensive, coordinated, efficient, and accountable federally subsidized services to individuals with disabilities, including individuals with significant disabilities, to assist those individuals in achieving gainful employment in accordance with the requirements of the Rehabilitation Act of 1973, approved August 7, 1998 (112 Stat. 1116; 29 U.S.C. § 720 *et seq.*).

(b) The Mayor shall establish an economic needs test to be used in determining the ability of applicants for and recipients of vocational rehabilitation services to contribute to the payment of the costs of the vocational rehabilitation services.

Sec. 3. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, effective October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

Sec. 4. Applicability.

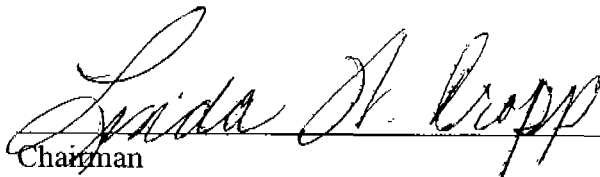
This act shall apply as of February 13, 2004.

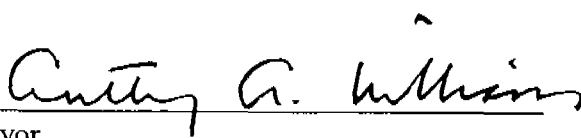
## Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412 (a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

## AN ACT

## D.C. ACT 15-359

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, Chapter 20 of Title 21 of the District of Columbia Official Code to add a definition of "emergency care" to the guardianship law, and to amend the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978 to authorize the Administrator of the Mental Retardation and Developmental Disabilities Administration, or the Administrator's designee, to grant, refuse, or withdraw consent, with certain limitations, on behalf of incapacitated customers, for health care services, treatment, or procedures, upon the certification of 2 licensed physicians.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Citizens with Mental Retardation Substituted Consent for Health Care Decisions Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Chapter 20 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) Section 21-2011 is amended by adding a new paragraph (5A) to read as follows:  
"(5A) "Emergency care" means immediate treatment, including diagnostic treatment, provided in response to a sudden, acute, and unanticipated medical crisis in order to avoid injury, extreme pain, impairment, or death."

Note,  
§ 21-2011

(b) Section 21-2046(a) is amended by striking the phrase "life threatening emergency" and inserting the phrase "life-threatening situation or a situation involving emergency care" in its place.

Note,  
§ 21-2046

Sec. 3. The Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1301.02 *et seq.*), is amended as follows:

(a) Section 507 (D.C. Official Code § 7-1305.07) is amended to read as follows:  
"Sec. 507. (a) Subject to the limitations provided in subsection (b) of this section, if a

Note,  
§ 7-1305.07



customer is certified as an incapacitated individual in accordance with D.C. Official Code § 21-2204, and there is no known person reasonably available, mentally capable, and willing to act pursuant to D.C. Official Code § 21-2210, the Administrator of the Mental Retardation and Developmental Disabilities Administration ("Administrator"), or the Administrator's designee, is authorized to grant, refuse, or withdraw consent on behalf of a customer with respect to the provision of any health care service, treatment, or procedure; provided, that 2 licensed physicians have certified in writing that the health care service, treatment, or procedure is clinically indicated to maintain the health of the customer.

"(b) The Administrator, or the Administrator's designee, is not authorized, unless authorized by a court, to consent to the following:

"(1) An abortion, sterilization, psychosurgery, or removal of a bodily organ, except to preserve the life or prevent the immediate serious impairment of the physical health of the customer;

"(2) Convulsive therapy;

"(3) Experimental treatments or behavior modification programs involving aversive stimuli or deprivation of rights; or

"(4) The withholding of life-saving medical procedures.

"(c) Nothing in this section shall be read to require any person to execute a durable power of attorney for health care."

(b) A new section 507a is added to read as follows:

"Sec. 507a. (a) It shall be the policy of the District government to ensure that incapacitated persons have available health care decisionmakers. The Administrator of the Mental Retardation and Developmental Disabilities Administration shall establish a plan to encourage, as much as possible, the provision of health care decisionmakers pursuant to D.C. Official Code § 21-2210 for all incapacitated and potentially incapacitated persons under the Administrator's jurisdiction.

"(b) Nothing in this section shall be read to require any person to execute a durable power of attorney for health care."

#### Sec. 4. Applicability.

This act shall apply as of February 3, 2004.

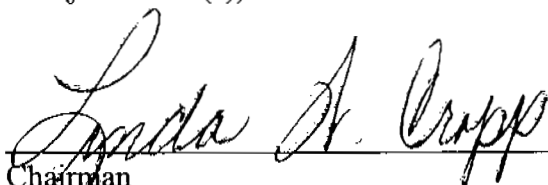
#### Sec. 5. Fiscal impact statement.

The Council anticipates that this act will reduce costs to the Mental Retardation and Developmental Disabilities Administration by reducing legal costs associated with guardianships. This act will also reduce Medicaid costs to the District of Columbia because prompt attention to medical needs will reduce medical costs.

ENROLLED ORIGINAL

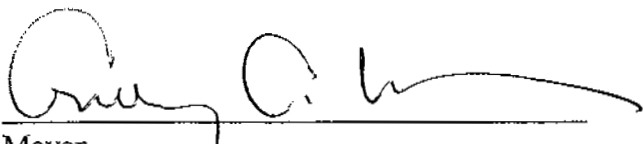
## Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

February 19, 2004

AN ACT  
D.C. ACT 15-360

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To provide, on a temporary basis, equitable real property tax relief to Kings Court Community Gardens, a tax-exempt organization.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Kings Court Community Garden Equitable Real Property Tax Relief Temporary Act of 2004".

Sec. 2. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against real property located at square 1060, lot 30, for the period of tax years 2001 to 2003, be forgiven, and that any payments already made for this period, as of the effective date of this act, be refunded; provided, that this property is owned, occupied, and used by the Capitol Hill Community Garden Land Trust, is available for use by the public, and not used for commercial purposes.

Sec. 3. Fiscal impact statement.

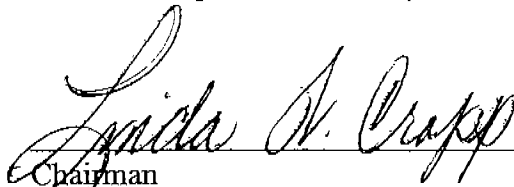
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

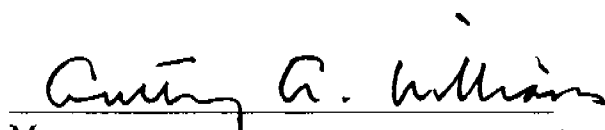
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

DISTRICT OF COLUMBIA REGISTER  
COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE BUDGET DIRECTOR

MAR 12 2004 **ENROLLED ORIGINAL**  
FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (X) Temporary ( ) Permanent ( )	Date Reported: February 4, 2003
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Subject/Short Title: "Kings Court Community Garden Equitable Real Property Tax Relief Emergency Act of 2003".

Part I. Summary of the Fiscal Estimates of the Bill		YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).		( )	(x)
a) It will affect local expenditures.		( )	(x)
b) It will affect federal expenditures.		( )	(x)
c) It will affect private/other expenditures.		( )	(x)
d) It will affect intra-District expenditures.		( )	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).		( )	(x)
a) It will impact local revenue.		( )	(x)
b) It will impact federal revenue.		( )	(x)
c) It will impact private/other revenue.		( )	(x)
d) It will impact intra-District revenue.		( )	(x)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).		(x)	( )
The fiscal impact of this legislation has already been presumed under previous legislation granting an exemption to the property.			

Part II. Other Impact of the Bill		
If you check "Yes" for each question, please explain on separate sheet, if necessary.	YES	NO
1. It will affect an agency and/or agencies in the District.	( )	(x)
2. Are there performance measures/output for this bill?	( )	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	( )	(x)
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	( )	(x)

Sources of information: Office of Chief Financial Officer.	Councilmember: Evans
	Staff Person & Tel: Jeff Coudriet, 202/724-8058.
	Council Budget Director's Signature: <i>[Signature]</i>

2/4/03

AN ACT

D.C. ACT 15-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

To provide, on a temporary basis, the details of the purpose of the expenditure of \$14.6 million from the fiscal year 2001 reserve funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Public Schools Use of the Budget Reserve Funds Temporary Act of 2004".

Sec. 2. Pursuant to section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Official Code § 47-392.03(j)(3)(B)), the Council approves the expenditure of \$14.6 million from the fiscal year 2001 budget reserve, to be made available to the District of Columbia Public Schools ("DCPS") for its use in the following increments and manner:

(1) An amount of \$10.9 million in response to a court order requiring that supplemental funds be allocated for the purpose of enhancing special education transportation functions; and

(2) An amount of \$3.7 million in response to a request from the Board of Education to allow for the postponement of selected position eliminations until the end of the fiscal year.

Sec. 3. The Board of Education will identify alternate savings or additional revenue in the amount of \$3.7 million by the end of fiscal year 2004 and these savings or revenues will be used to refund the \$3.7 million to the District's reserve funds, unless the Chief Financial Officer certifies that additional savings of \$3.7 million were not achieved and that an applicable source of additional revenue was not received.

Sec. 4. Fiscal impact statement.

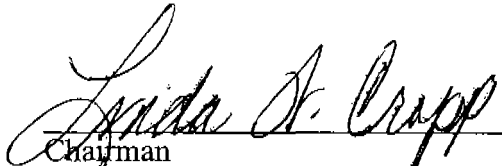
The use of the reserve funds is already incorporated into the District's budget and financial plan and, therefore, this legislation has no fiscal impact.

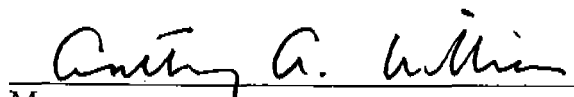
Sec. 5. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

## AN ACT

D.C. ACT 15-362

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 20, 2004

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To amend, on a temporary basis, the Regulations Governing the Businesses of Buying, Selling and Financing of Motor Vehicles in the District of Columbia to prohibit the issuance of new licenses or late renewals to used car dealers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Used Car Dealership License Moratorium Temporary Act of 2004".

Sec. 2. The Regulations Governing the Businesses of Buying, Selling and Financing of Motor Vehicles in the District of Columbia, issued October 20, 1960 (C.O. 60-2219; 16 DCMR § 301 *et seq.*), is amended by adding a new section 202a to read as follows:

"Sec. 202a. Used car dealership license moratorium.

"No new used car dealer's license or late renewal, shall be issued for a period of 90 days from the effective date of the Used Car Dealership License Moratorium Emergency Act of 2004, passed on 1<sup>st</sup> reading on January 6, 2004 (Engrossed version of Bill 15-645). This moratorium shall not apply to any application for licensure approved or pending prior to the effective date of the Used Car Dealership License Moratorium Emergency Act of 2004, passed on 1<sup>st</sup> reading on January 6, 2004 (Engrossed version of Bill 15-645)."

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206(c)(3)).

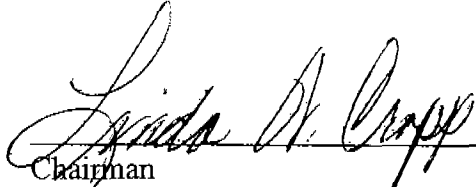
Sec. 4. (a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule



ENROLLED ORIGINAL

Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

UNSIGNED

\_\_\_\_\_  
Mayor  
District of Columbia  
FEBRUARY 20, 2004

COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency ( X )    Temporary (   )    Permanent	Date Reported: 1/6/04
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Subject/Short Title: "Used Car Dealership License Moratorium Emergency Act of 2003"

**Part I. Summary of the Fiscal Estimates of the Bill**

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	(   )	( X )
a) It will affect local expenditures.	(   )	(   )
b) It will affect federal expenditures.	(   )	(   )
c) It will affect private/other expenditures.	(   )	(   )
d) It will affect intra-District expenditures.	(   )	(   )
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	(   )	( X )
a) It will impact local revenue.	(   )	(   )
b) It will impact federal revenue.	(   )	(   )
c) It will impact private/other revenue.	(   )	(   )
d) It will impact intra-District revenue.	(   )	(   )
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	( X )	(   )
There is no appreciable cost or lost revenue associated with the bill because the moratorium on the issuance of new licenses will not affect the renewal of any existing license.		

**Part II. Other Impact of the Bill**

If you check "Yes" for each question, please explain on separate sheet, if necessary.

	YES	NO
1. It will affect an agency and/or agencies in the District. While the moratorium is in effect, the Department of Consumer and Regulatory Affairs may not issue business licenses to additional used car dealerships.	( X )	(   )
2. Are there performance measures/output for this bill?	(   )	( X )
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? If the bill is not enacted the District may grant licenses to additional used car dealerships, which are not adequately monitored for compliance with existing applicable regulations.	( X )	(   )
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year? No additional appropriations are necessary to implement the moratorium.	(   )	( X )

Sources of information:	Councilmember: Adrian M. Fenty
	Staff Person & Tel: William Singer, 724-8192
	Council Budget Director's Signature: <i>Ann B. [Signature]</i>

1/6/04

AN ACT  
D.C. ACT 15-363

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property of the Crispus Attucks Development Corporation, a tax-exempt organization, and to provide equitable real property tax relief to the organization.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Crispus Attucks Development Corporation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Chapter 10 is amended by adding a new section 47-1058 to read as follows:

"47-1058 . Crispus Attucks Development Corporation, lot 0046 in square 3117."

(b) A new section 47-1058 is added to read as follows:

"§ 47-1058 . Crispus Attucks Development Corporation, lot 0046 in square 3117.

"The real property located at 77 U Street, N.W., Washington, D.C., lot 0046 in square 3117, shall be exempt from all taxation so long as it is used to carry out the public purposes and activities of the Crispus Attucks Development Corporation and is not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009."

New  
§ 47-1058

Sec. 3. Real property taxes, interest, penalties, fees, and other related charges assessed against the real property located at 77 U Street, N.W., Washington, D.C., lot 0046 in square 3117, for the period of July 1, 1989, through January 31, 2003, shall be forgiven.

Sec. 4. Applicability.

Section 2 shall apply as of February 1, 2003.

Note,  
§ 47-1058

Sec. 5. Inclusion in the budget and financial plan.

Note,  
§ 47-1058

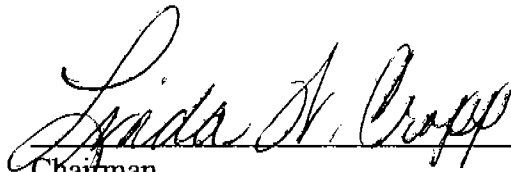
This act shall take effect subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

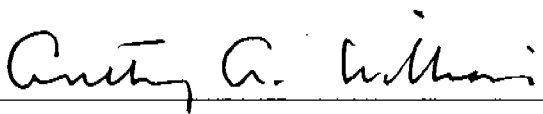
Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

February 19, 2004

AN ACT  
D.C. ACT 15-364

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

---

To provide equitable real property tax relief to the Sexual Minority Youth Assistance League, a nonprofit, tax-exempt organization.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Sexual Minority Youth Assistance League Equitable Real Property Tax Relief Act of 2004".

Sec. 2. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the Sexual Minority Youth Assistance League for the period of June 1, 2000 through October 31, 2000, on real property located at 410 - 7<sup>th</sup> Street, S.E., located in square 902, lot 814, be forgiven and any payments already made for this period be refunded.

Sec. 3. Inclusion in the budget and financial plan.

This act shall be subject to the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 4. Fiscal impact statement.

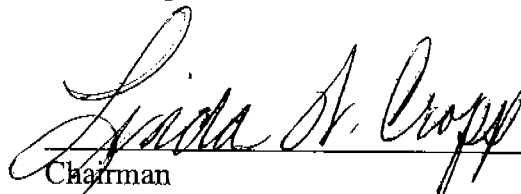
The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

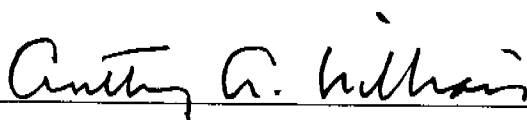
Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

MAR 12 2004

ENROLLED ORIGINAL

December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

## AN ACT

D.C. ACT 15-365

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

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To accept the dedication of land for a new street and alley in Square 878 and to designate the street as "I Street, S.E." and the alley as "Ellen Wilson Place, S.E.," and to close the 600 block of I Street, S.E., to accept the dedication of land for street purposes and to designate the street as "Virginia Avenue, S.E.," in Ward 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Dedication and Designation of Streets and an Alley in Square 878, S.O. 95-251, Act of 2004".

Sec. 2. (a) Notwithstanding any provision of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01 *et seq.*) ("Act"), the Council orders the closing of the 600 block of I Street, S.E., as shown on the revised Surveyor's plat filed under S.O. 95-251.

(b) Notwithstanding any provision of the Act, the Council accepts the dedication of land for street purposes, which is the existing functioning street that is located immediately north of and parallel to the Southeast Freeway between 6th Street, S.E., and 7th Street, S.E., and designates this street as "Virginia Avenue, S.E.," as shown on the revised Surveyor's plat filed under S.O. 95-251.

Sec. 3. (a) Pursuant to section 302(c) of the Act (D.C. Official Code § 9-203.02(3)), the Council accepts the dedication of land necessary to create a new street and a new alley in Square 878, as shown on the revised Surveyor's plat filed under S.O. 95-251, contingent upon the satisfaction of the conditions of District agencies and affected public utilities as set forth in the official file on S.O. 95-251.

(b) Pursuant to sections 401 and 403 of the Act (D.C. Official Code §§ 9-204.01 and 9-204.03), the Council designates the street and alley created by the dedication of land in subsection (a) of this section as "I Street, S.E." and "Ellen Wilson Place, S.E.," as shown on the revised Surveyor's plat filed under S.O. 95-251.


## Sec. 4. Fiscal impact statement.

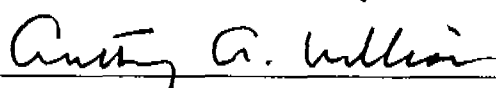
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. The Secretary to the Council shall transmit a copy of this act, upon its effective date, to the Surveyor of the District of Columbia and the District of Columbia Recorder of Deeds.

## Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004



AN ACT  
D.C. ACT 15-366

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

To order the closing of a portion of a public alley in Square 209, bounded by Church Street, N.W., 14th Street, N.W., and P Street, N.W., in Ward 2.

BE IN ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Revised Closing of a Portion of a Public Alley in Square 209, S.O. 02-1019, Act of 2004".

Sec. 2. Pursuant to section 201 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01), the Council finds that the portion of a public alley in Square 209, as shown on the revised Surveyor's plat filed under S. O. 02-1019, is unnecessary for alley purposes and orders it closed, with title to the land to vest as shown on the revised Surveyor's plat. The approval of the Council of this closing is contingent upon the establishment of an easement for alley purposes on the alley to be closed and the satisfaction of all other conditions set forth in the official file of S.O. 02-1019.

Sec. 3. The Closing of a Portion of a Public Alley in Square 209, S.O. 02-1019 Act of 2002, effective April 2, 2003 (D.C. Law 14-274; 50 DCR 442), is repealed.

Sec. 4. Applicability.

This act shall apply as of October 27, 2003.

Sec. 5. Fiscal impact statement.

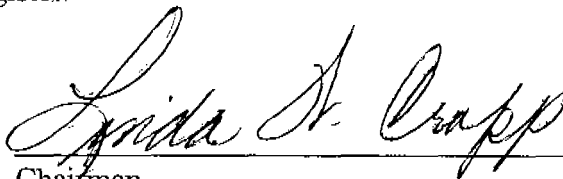
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

ENROLLED ORIGINAL

Sec. 6. The Secretary to the Council shall transmit a copy of this act, upon its effectiveness, each to the District of Columbia Surveyor and the District of Columbia Recorder of Deeds.

Sec. 7. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

February 19, 2004

AN ACT  
D.C. ACT 15-367

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To authorize the use of subpoenas and the administration of oaths and affirmations by the District of Columbia Auditor in the conduct of investigations and audits.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Auditor Subpoena and Oath Authority Act of 2004".

Sec. 2. The District of Columbia Auditor may subpoena witnesses, compel the attendance and testimony of witnesses, and require the production of any records, including books, papers, documents, and any other evidence relating to any matter under investigation by the District of Columbia Auditor.

Sec. 3. In a case of contumacy or refusal to obey a subpoena issued to a person under section 2, the Auditor may apply to the Superior Court of the District of Columbia for an order requiring the contumacious person to appear relating to the matter under investigation. Failure to obey the Court's order shall be punishable as contempt of court.

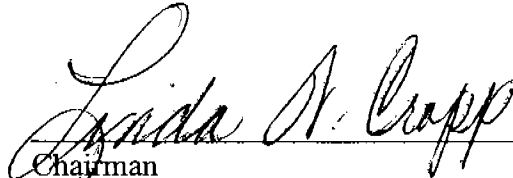
Sec. 4. The District of Columbia Auditor, or a delegate authorized by the Auditor, may administer oaths, affirmations, or take affidavits, whenever necessary to perform the duties of the Auditor.

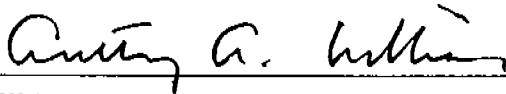
Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

AN ACT  
D.C. ACT 15-368IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on a temporary basis, the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to extend the deadline for sworn Metropolitan Police Department officers hired between January 11, 2000 and December 31, 2003, to obtain 60 semester hours of post-secondary education, and to provide candidates for sworn employment with the Metropolitan Police Department who have applications pending as of December 31, 2003, and are subsequently appointed 5 years to meet the requisite educational requirement of 60 semester hours of post-secondary education; and to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to repeal an unnecessary provision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Educational Requirement Clarification Temporary Amendment Act of 2004".

Sec. 2. Section 202 of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01), is amended as follows:

*Note,  
§ 5-107.01*

(a) Subsection (a) is amended to read as follows:

"(a)(1) Except as provided in paragraph (2) of this subsection, to be eligible for appointment as a sworn member of the Metropolitan Police Department, as of December 31, 2003, an applicant must have successfully completed at least 60 post-secondary semester hours from an accredited university.

"(2) A candidate for appointment as a sworn member of the Metropolitan Police Department whose application is pending as of December 31, 2003, and who is subsequently appointed shall have successfully completed at least 60 post-secondary semester hours from an accredited university within 5 years from January 28, 2004."

(b) New subsection (d) is added to read as follows:

"(d) A sworn Metropolitan Police Department officer appointed after January 11, 2000, and prior to December 31, 2003, shall have successfully completed at least 60 post-secondary semester hours from an accredited university within 5 years from January 28, 2004."

Sec. 3. Section 1075(b) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 1-610.75(b)), is repealed.

*Note,  
§ 1-610.75*

ENROLLED ORIGINAL

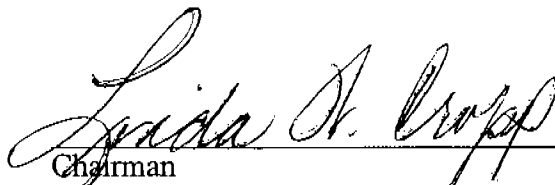
## Sec. 4. Fiscal impact statement.

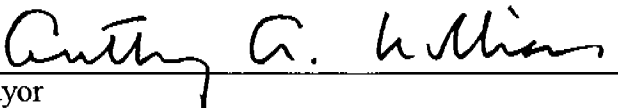
The Council adopts the fiscal impact statement provided by the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## Sec. 5. Effective fate.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

AN ACT  
D.C. ACT 15-369

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property leased to, and occupied by, Emmaus Services for the Aging, Inc., a District of Columbia nonprofit organization, and used in its tax-exempt function.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emmaus Rehabilitation Project Real Property Exemption Act of 2004".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation "47-1057. Emmaus Rehabilitation Project, lot 74 in square 366."

New  
§ 47-1057

(b) A new section 47-1057 is added to read as follows:

"§ 47-1057. Emmaus Rehabilitation Project, lot 74 in square 366.

"The real property, described as lot 74 in square 366 in the District of Columbia, is hereby exempt from real property and transfer and deed recordation taxation so long as, and to the extent that, the same is occupied by Emmaus Services for the Aging, Inc., an organization qualifying under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)), and is used to further the tax-exempt purposes of Emmaus Services for the Aging, Inc. Any real property and transfer and deed recordation taxes paid shall be refunded to the payer under the same conditions and subject to the same provisions as if the exemption were granted administratively.

Sec. 3. Applicability.

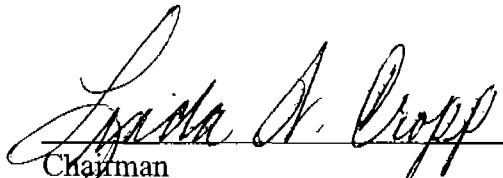
Section 2 shall apply as of April 9, 2003.

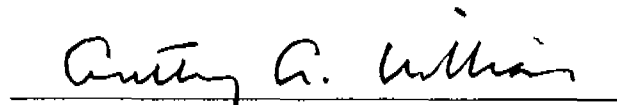
Note,  
§ 47-1047

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004



## RE-ENROLLED ORIGINAL

## AN ACT

D.C. ACT 15-369

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 3, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property leased to, and occupied by, Emmaus Services for the Aging, Inc., a District of Columbia nonprofit organization, and used in its tax-exempt function.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Emmaus Rehabilitation Project Real Property Exemption Act of 2004".

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation "47-1057. Emmaus Rehabilitation Project, lot 74 in square 366."

(b) A new section 47-1057 is added to read as follows:

"§ 47-1057. Emmaus Rehabilitation Project, lot 74 in square 366.

"The real property, described as lot 74 in square 366 in the District of Columbia, is hereby exempt from real property and transfer and deed recordation taxation so long as, and to the extent that, the same is occupied by Emmaus Services for the Aging, Inc., an organization qualifying under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2085; 26 U.S.C. § 501(c)(3)), and is used to further the tax-exempt purposes of Emmaus Services for the Aging, Inc. Any real property and transfer and deed recordation taxes paid shall be refunded to the payer under the same conditions and subject to the same provisions as if the exemption were granted administratively.

New  
§ 47-1057

Sec. 3. Applicability.

Section 2 shall apply as of April 9, 2003.

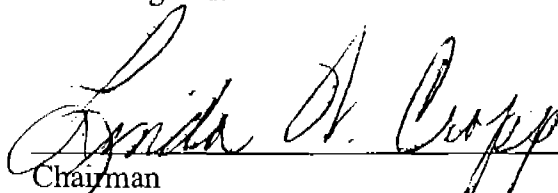
Note,  
§ 47-1047

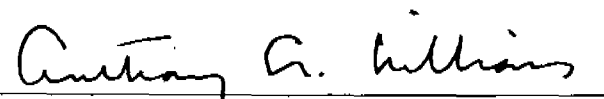
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## RE-ENROLLED ORIGINAL

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
March 3, 2004

AN ACT  
D.C. ACT 15-370*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
PublisherIN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

To amend section 47-813(c-6) of the District of Columbia Official Code to clarify the definitions of real property classifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Classification Clarification Act of 2004".

Sec. 2. Section 47-813(c-6) of the District of Columbia Official Code is amended to read as follows:

Amend  
§ 47-813

"(c-6)(1) For the real property tax year beginning October 1, 2002, and ending September 30, 2003, and for each subsequent tax year, the following classes of taxable real property are established:

- "(A) Class 1 Property;
- "(B) Class 2 Property; and
- "(C) Class 3 Property.

"(2)(A) Class 1 Property shall be comprised of residential real property that:

- "(i) Is improved;
- "(ii) Is occupied; and
- "(iii) Is used exclusively for nontransient residential dwelling

purposes.

"(B) Unimproved real property which abuts Class 1 Property shall be classified as Class 1 Property if the unimproved real property and the Class 1 Property have common ownership.

"(C) Residential real property that is either unoccupied or unimproved shall remain classified as Class 1 property if:

"(i) The improved real property is unoccupied due to a fire, flood, or other casualty, if the property was occupied at the time of the casualty, and the fire, flood, or other casualty occurred during the 12 months preceding the tax year and was not intentionally caused by the owner or sole tenant;

"(ii) The real property is actively offered for sale or rental at a reasonable market price as of September 30 of the preceding tax year or as of March 31 of the current tax year; provided, that a property which has been offered for sale or rental for more than 8 months shall be presumed not to be offered for sale or rental at a reasonable market price;

"(iii) A building permit or a demolition permit has been issued and construction or demolition is actively pursued as of September 30 of the preceding tax year or as of March 31 of the current tax year;

"(iv) A building permit has been issued during the 24 months preceding the current tax year;

"(v) The improved real property is the subject of a probate proceeding or title to the improved real property is the subject of litigation;

"(vi) An application for a necessary approval for development of the improved real property is pending, as of September 30 of the preceding tax year or as of March 31 of the current tax year, before the Board of Zoning Adjustment, the Zoning Commission for the District of Columbia, the Commission on Fine Arts, the Historic Preservation Review Board, the Mayor's Agent for Historic Preservation, or the National Capital Planning Commission;

"(vii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the unimproved real property as a matter of right;

"(viii) The unimproved real property is used as a parking lot and each approval required from the District government for use as a parking lot has been obtained;

"(ix) Unimproved air rights lot that appertains to improved and occupied real property;

"(x) Property is designated as a historic landmark under subchapter I of Chapter 11 of Title 6, or is the subject of an agreement that runs with the land and provides for the preservation of certain historic features of the improvement;

"(xi) The unimproved real property is the subject of a public hearing on a proposed overlay zone or on a proposed downzoning of the zone district classification of the real property (other than a downzoning under § 1-301.67 or § 1-301.68); or

"(xii) The unimproved real property is encumbered by a deed of trust that was recorded during the 24 months preceding the current tax year.

"(D) Unimproved real property which is separated from Class 1 Property by a public alley less than 30 feet wide shall be classified as Class 1 Property if:

"(i) The unimproved real property is less than 1,000 square feet;

"(ii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the unimproved real property as a matter of right; and

"(iii) The owner of the unimproved real property also owns the Class 1 Property separated by the alley from the unimproved real property.

"(3)(A) Class 2 Property shall be comprised of commercial real property that is improved and occupied.

"(B) Unimproved real property which abuts Class 2 Property shall be classified as Class 2 Property if the unimproved real property and the Class 2 Property have common ownership.

"(C) Commercial real property that is unimproved or unoccupied shall remain classified as Class 2 Property if:

"(i) The improved real property is unoccupied due to a fire, flood, or other casualty, if the property was occupied at the time of the casualty, and the fire, flood, or other casualty occurred during the 12 months preceding the tax year and was not intentionally caused by the owner or sole tenant;

"(ii) The real property is actively offered for sale or rental at a reasonable market price as of September 30 of the preceding tax year or as of March 31 of the current tax year; provided, that a property which has been offered for sale or rental for more

than 8 months shall be presumed not to be offered for sale or rental at a reasonable market price;

"(iii) A building permit or a demolition permit has been issued and building or demolition is actively pursued as of September 30 of the preceding tax year or as of March 31 of the current tax year;

"(iv) A building permit has been issued during the 24 months preceding the current tax year;

"(v) The improved real property is the subject of a probate proceeding or title to the improved real property is the subject of litigation;

"(vi) An application for a necessary approval for development of the real property is pending, as of September 30 of the preceding tax year or as of March 31 of the current tax year, before the Board of Zoning Adjustment, the Zoning Commission for the District of Columbia, the Commission on Fine Arts, the Historic Preservation Board, the Mayor's Agent for Historic Preservation, or the National Capital Planning Commission;

"(vii) The zoning regulations adopted by the Zoning Commission for the District of Columbia do not allow the building of any structure on the unimproved real property as a matter of right;

"(viii) The unimproved real property is used as a parking lot and each approval required from the District government for use as a parking lot has been obtained;

"(ix) An unimproved air rights lot that appertains to improved and occupied real property;

"(x) Property is designated as a historic landmark under subchapter I of Chapter 11 of Title 6, or is the subject of an agreement that runs with the land and provides for the preservation of certain historic features of the improvement;

"(xi) The unimproved real property is the subject of a public hearing on a proposed overlay zone or on a proposed downzoning of the zone district classification of the real property (other than a downzoning under § 1-301.67 or § 1-301.68); or

"(xii) The unimproved real property is encumbered by a deed of trust that was recorded during the 24 months preceding the current tax year.

"(D) Class 2 Property shall include, as of September 30 of the preceding tax year, the unimproved real property that is within the Northeast No. 1/Eckington Yards Special Treatment Area and the Buzzard Point/Near Southeast Development Opportunity Area, as designated on the current District of Columbia Generalized Land Use Map that is part of the Comprehensive Plan; provided, that the real property is zoned for commercial development and the real property owner is engaged in predevelopment activities as supported by written documentation. For the purpose of this subparagraph, the term "predevelopment activities" means completion of one of the following:

"(i) Preparation of subdivision or large tract review applications;

"(ii) Preparation or application for District of Columbia permits or authorizations to proceed with development;

"(iii) Participation in special planning or transportation studies prepared in conjunction with the District of Columbia; or

"(iv) Completion of environmental assessment or mitigation studies prepared in conjunction with the District of Columbia.

"(E) Unimproved real property which is separated from Class 2 Property by a public alley less than 30 feet wide shall be classified as Class 2 Property if :

"(i) The unimproved real property is less than 1,000 square feet;

"(ii) The zoning regulations adopted by the Zoning Commission

for the District of Columbia do not allow the building of any structure on the unimproved real property as a matter of right; and

"(iii) The owner of the unimproved real property also owns the Class 2 Property separated by the alley from the unimproved real property.

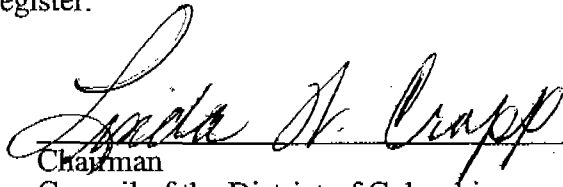
"(4) Class 3 Property shall be comprised of all real property which cannot be classified as either Class 1 Property or Class 2 Property."

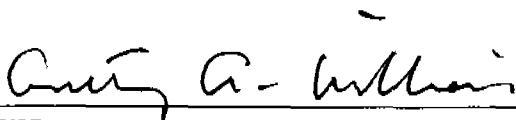
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement contained in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-371

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

To amend, on an emergency basis, due to Congressional review, Title 18 of the District of Columbia Municipal Regulations to prohibit the parking and loading of tour buses on Eastern Avenue, N.E., between Riggs Road, N.E., and Kennedy Street, N.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Eastern Avenue Tour Bus Parking Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 4025 of Title 18 of the District of Columbia Municipal Regulations is amended by adding a new subsection 4025.4 to read as follows:

DCMR

"4025.4(a) There shall be no parking or loading of any sightseeing, charter, or tour bus or any other privately operated commercial vehicle with a seating capacity of more than twelve (12) persons on Eastern Avenue, NE, between Riggs Road, NE, and Kennedy Street, NE.

"(b) Any person violating paragraph (a) of this subsection shall be subject to a five hundred dollar (\$500) fine for each offense."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement for the Eastern Avenue Tour Bus Parking Temporary Amendment Act of 2002, effective April 2, 2003 (D.C. Law 14-276; 50 DCR 624), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(3)).

Sec. 4. Applicability.

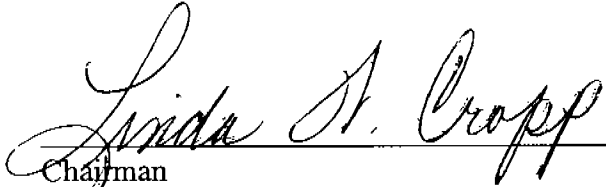
This legislation shall apply as of January 22, 2004.

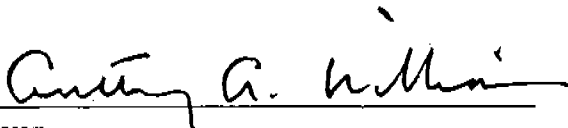
Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004



## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-372IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004Codification  
District of  
Columbia  
Official Code

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Administrative Procedure Act to bring the District's Freedom of Information Act into greater conformity with the federal Freedom of Information Act, to clarify that the Freedom of Information Act law enforcement or investigatory records exemption applies equally to the Council of the District of Columbia's investigatory proceedings, that the inter-agency memorandum exemption applies to Council records, to provide that records containing the identity of whistleblowers are exempt from disclosure, that the Council may assert exemptions on behalf of public bodies from which it receives information, and that final decisions of the Council may not be appealed to the Mayor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Freedom of Information Legislative Records Clarification Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Title II of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), is amended as follows:

(a) Section 204 (D.C. Official Code § 2-534) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained" and inserting the phrase "a person and privileged or confidential" in its place.

(B) Paragraph (2) is amended by striking the phrase "Information of a personal nature where the public disclosure thereof" and inserting the phrase "Personnel and medical files and similar files the disclosure of which" in its place.

(C) Paragraph (3) is amended as follows:

(i) The lead-in language is amended by striking the phrase "Investigatory records" and inserting the phrase "Records or information" in its place.

(ii) Strike the word "would".

Note,  
§ 2-534

## ENROLLED ORIGINAL

(iii) Subparagraph (A) is amended by striking the phrase "Interfere with enforcement" and inserting the phrase "Could reasonably be expected to interfere with enforcement, or Council investigatory" in its place.

(iv) Subparagraph (B) is amended by striking the word "Deprive" and inserting the phrase "Would deprive" in its place.

(v) Subparagraph (C) is amended by striking the word "Constitute" and inserting the phrase "Could reasonably be expected to constitute" in its place.

(vi) Subparagraph (D) is amended by striking the word "Disclose" and inserting the phrase "Could reasonably be expected to disclose" in its place.

(vii) Subparagraph (E) is amended by striking the word "Disclose" and inserting the phrase "would disclose" in its place.

(viii) Subparagraph (F) is amended as follows:

(I) Strike the word "Endanger" and insert the phrase "Could reasonably be expected to endanger" in its place.

(II) Strike the phrase "law-enforcement personnel" and insert the phrase "any individual" in its place.

(D) A new paragraph (3A) is added to read as follows:

"(3A) Records or information in the possession of the Council that are compiled for purposes of a Council investigation, including records or information compiled prior to the initiation of the investigation. The Council may assert an exemption on behalf of any public body from which the records or information were obtained."

(E) Paragraph (4) is amended to read as follows:

"(4) Inter-agency or intra-agency memorandums or letters, including memorandums or letters generated or received by the staff or members of the Council, that would not be available by law to a party other than a public body in litigation with the public body."

(F) A new paragraph (11) is added to read as follows:

"(11) Records or information, the disclosure of which could reasonably be expected to reveal the name of a person providing information under the provisions of the Whistleblower Reinforcement Act of 1998, effective October 7, 1998 (D.C. Law 12-160; D.C. Official Code §§ 1-615.51 *et seq.*, and 2-223.01 *et seq.*)".

(2) A new subsection (a-1) is added to read as follows:

"(a-1) The Council may assert, on behalf of any public body from which it obtains records or information, any exemption listed in subsection (a) of this section that could be asserted by the public body pertaining to the records or information."

(3) A new subsection (e) is added to read as follows:

"(e) All exemptions available under this section shall apply to the Council of the District of Columbia as well as executive branch agencies of the District of Columbia government. The deliberative process privilege, the attorney work-product privilege, and the

## ENROLLED ORIGINAL

attorney-client privilege are incorporated under the inter-agency memoranda exemption listed in subsection (a)(4) of this section, and these privileges, among other privileges that may be found by the court, shall extend to any public body that is subject to this act. Memoranda created by or exchanged between staff and members of the District of Columbia Council shall be exempt from disclosure to the extent that such memoranda represent predecisional documents that were written in the process of developing legislation, drafting budget reports, or conducting oversight hearings."

(b) Section 207 (D.C. Official Code § 2-537) is amended as follows:

Note,  
§ 2-537

(1) Subsection (a) is amended by striking the phrase "Any person" and inserting the phrase "Except as provided in subsection (a-1), any person" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) Any person denied the right to inspect a public record in the possession of the Council may institute proceedings in the Superior Court for the District of Columbia for injunctive or declaratory relief, or for an order to enjoin the public body from withholding the record and to compel the production of the requested record as set forth in subsection (a)(1) or (2) of this section."

(3) Subsection (b) is amended by striking the phrase "subsection (a)" and inserting the phrase "subsection (a) or (a-1)" in its place.

### Sec. 3. Applicability.

This act shall apply as of January 22, 2004 and with respect to any requests for records pending on the effective date of this act, whether or not the request was made prior to that date, and shall apply to any civil action pending on that date.

### Sec. 4. Fiscal impact statement.

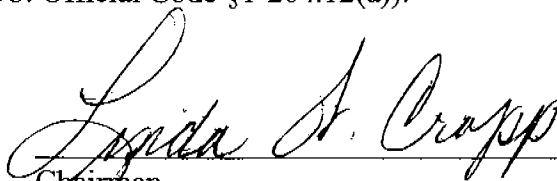
This legislation does not affect the District of Columbia budget or financial plan and, therefore, has no fiscal impact.

### Sec. 5. Effective date.

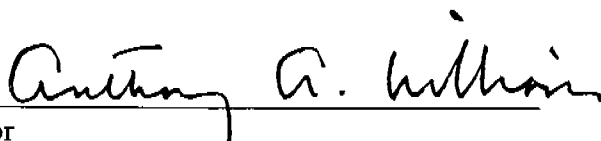
This act shall take effect immediately following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of Council of the District of Columbia in

ENROLLED ORIGINAL

section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (97 Stat. 788; D.C. Official Code §1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 19, 2004

## ENROLLED ORIGINAL

## AN ACT

## D.C. ACT 15-373

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, Title 47 of the District of Columbia Official Code to authorize the Mayor to promulgate rules governing the business of furnishing towing services for motor vehicles, to require that the proposed rules be submitted to the Council for a 45-day period of review, to provide that if the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within the 45-day review period, the proposed rules shall be deemed disapproved, and to authorize criminal and civil penalties for violating the District's rules governing towing services for motor vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Towing Regulation and Enforcement Authority Congressional Review Emergency Act of 2004".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Chapter 28 is amended by adding the phrase "47-2850. Rules governing the business of furnishing towing services for motor vehicles."

(b) A new section 47-2850 is added to read as follows:

"§ 47-2850. Rules governing the business of furnishing towing services for motor vehicles.

"(a) The Mayor is authorized, in accordance with Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-502 *et seq.*), to:

"(1) Promulgate rules to govern the business of furnishing towing services for motor vehicles; and

"(2) Amend or repeal any provision of the Regulations Governing the Business of Towing Service for Motor Vehicles, effective August 21, 1956 (C.O. 56-1678; 16 DCMR § 401 *et seq.*), governing the business of furnishing towing services for motor vehicles.

"(b) The Mayor shall transmit proposed rules pursuant to this section to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day review period, the proposed rules shall be deemed disapproved.

## ENROLLED ORIGINAL

“(c) Any person who violates any of the rules promulgated pursuant to this section shall be guilty of a misdemeanor and upon conviction, shall be subject to a fine not exceeding \$1,000 per violation, and imprisonment for not more than 90 days, or both. All prosecutions for violations of any rule or regulation issued pursuant to this section shall be in the Criminal Division of the Superior Court of the District of Columbia in the name of the District of Columbia by information signed by the Corporation Counsel or one of his or her assistants. Civil fines and penalties may be imposed as alternative sanctions for any infraction of the rules issued pursuant to this section, pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985. Adjudication of any infractions shall be pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).”.

## Sec. 3. Applicability.

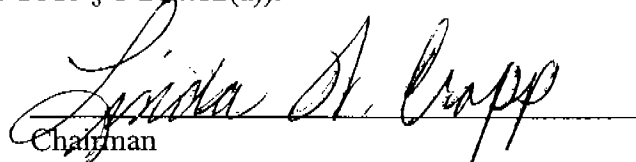
This act shall apply as of February 11, 2004.

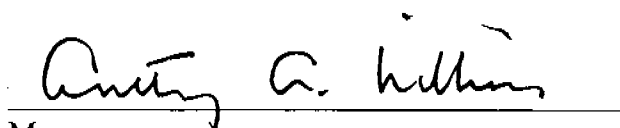
## Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED

February 19, 2004  
Codification District of Columbia Official Code, 2001 Edition

**COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE BUDGET DIRECTOR**

**FISCAL IMPACT STATEMENT**

Bill Number:	Type: Emergency ( <input checked="" type="checkbox"/> ) Temporary ( ) Permanent ( )	Date Reported:
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Subject/Short Title:

"Towing Regulation and Enforcement Authority Congressional Review Emergency Act of 2004"

Part II Summary of the Fiscal Impacts of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	( )	(X)
a) It will affect local expenditures.	( )	(X)
b) It will affect federal expenditures.	( )	(X)
c) It will affect private/other expenditures.	( )	(X)
d) It will affect intra-District expenditures.	( )	(X)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	( )	(X)
a) It will impact local revenue.	( )	(X)
b) It will impact federal revenue.	( )	(X)
c) It will impact private/other revenue.	( )	(X)
d) It will impact intra-District revenue.	( )	(X)
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(X)	( )
<p><b>Explanation:</b> This bill would merely continue the authority of the Mayor to promulgate rules governing the business of furnishing towing services for motor vehicles and authorize criminal and civil penalties for violating the District's regulations governing towing services for motor vehicles.</p>		

Part III Additional Information		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	( )	(X)
2. Are there performance measures/output for this bill?	( )	(X)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? <b>Explanation:</b> The authority of the Mayor to promulgate rules governing the business of furnishing towing services for motor vehicles and authorize criminal and civil penalties for violating the District's regulations governing towing services for motor vehicles would lapse.	(X)	( )
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	( )	(X)

Sources of information:	Councilmember: Carol Schwartz
Council staff:	Staff Person & Tel: Andrew Gerst (202) 727-8272
	Council Budget Director's Signature: <i>Ann B. [Signature]</i>

1129104

## AN ACT

## D.C. ACT 15-374

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 24, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, Chapter 8 of Title 47 of the District of Columbia Official Code to limit the amount of increase in taxable assessment to 112% from one year to the next through means of a tax credit, to permit the tax credit in the case of nominal renovations or construction, and to increase the homestead deduction to \$38,000.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Owner-Occupant Residential Tax Credit and Homestead Deduction Clarification Emergency Act of 2004".

Sec. 2. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47.825.01(f-1)(1)(C)(iv) is amended by striking the phrase "July 1" wherever it appears and inserting the phrase "April 1" in its place.

*Note,  
§ 47-825.01*

(b) Section 47-829 is amended by adding a new subsection (e-1) to read as follows:

*Note,  
§ 47-829*

"(e-1) Class 1 Property, as defined under § 47-813(c-6), shall not be subject to subsection (e) of this section if the increase in the estimated market value of the real property as a result of the renovation, addition, or construction is less than 10%."

(c) Section 47-850(a) is amended to read as follows:

*Note,  
§ 47-850*

"(a)(1) For purposes of levying the real property tax during a tax year, the Mayor shall deduct \$38,000 from the estimated market value of real property which qualifies as a homestead. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back.

"(2) This subsection shall apply as of October 1, 2003."

(d) Section 47-850.01(a) is amended to read as follows:

*Note,  
§ 47-850.01*

"(a)(1) For purposes of levying the real property tax during a tax year, the Mayor shall deduct from the assessed value of the real property owned by a cooperative housing association, as determined under § 47-820.01, \$38,000 for each homestead located therein. The deduction shall be apportioned equally between each installment during a tax year and shall not be carried forward or carried back.



## ENROLLED ORIGINAL

"(2) This subsection shall apply as of October 1, 2003."

(e) Section 47-864 is amended as follows:

Note.  
§ 47-864

(1) Subsection (a)(2) is amended by striking the phrase ", and subsequent years,".

(2) Subsections (b) and (c) are amended by striking the word "credit" and inserting the phrase "credit under subsection (a) of this section" in its place.

(3) A new subsection (d) is added to read as follows:

"(d)(1) For real property tax year 2004, and subsequent years, real property receiving the homestead deduction under § 47-850 or § 47-850.01, and valued under § 47-820(b-2), shall receive an owner-occupant residential tax credit.

"(2) The credit shall be calculated as follows:

"(A)(i) In the case of a real property that did not receive the credit under this section in the prior tax year, subtract the prior tax year's homestead deduction from the prior tax year's assessment; or

"(ii) In the case where a real property did receive the credit under this section in the prior tax year, identify the prior tax year's capped assessment;

"(B) Multiply the amount under subparagraph (A) of this paragraph by 112% to determine the capped assessment;

"(C) Subtract the current tax year's homestead deduction from the current tax year's assessment;

"(D) Subtract the capped assessment computed under subparagraph (B) of this paragraph from the difference in subparagraph (C) of this paragraph; and

"(E) If the resulting difference is a positive number, multiply the resulting difference by the applicable property tax rate for the current tax year.

"(3) The credit shall not apply if:

"(A) During the prior tax year:

"(i) The real property was transferred for consideration to a new owner;

"(ii) The value of the real property was increased due to a change in the zoning classification of the real property initiated or requested by the homeowner or anyone having an interest in the real property; or

"(iii) The assessment of the real property was clearly erroneous due to an error in calculation or measurement of improvements on the real property; or

"(B) During the prior calendar year, the real property was assessed under § 47-829.

"(4) This subsection shall apply as of October 1, 2003."

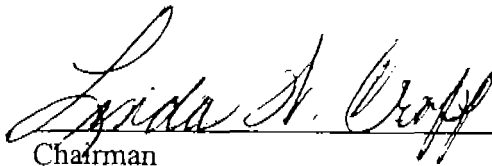
ENROLLED ORIGINAL

## Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

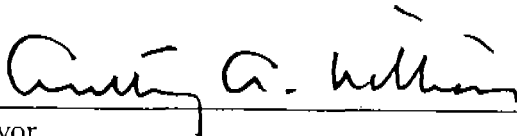
## Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman

Council of the District of Columbia



Mayor

District of Columbia

APPROVED

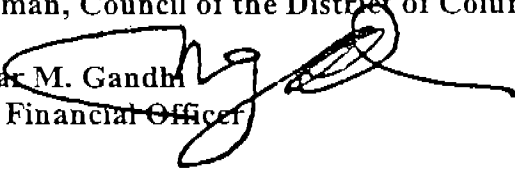
February 24, 2004

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE CHIEF FINANCIAL OFFICER

Natwar M. Gandhi  
Chief Financial Officer

MEMORANDUM

TO: The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi   
Chief Financial Officer

DATE: FEB - 3 2004

SUBJECT: Fiscal Impact Statement: "Owner-Occupant Residential Tax Credit  
and Homestead Deduction Clarification Emergency Act of 2004"

REFERENCE: Draft Legislation as Introduced – No Bill Number Available

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**Conclusion**

Funds are sufficient in FY 2004 through FY 2007 to implement the proposed legislation because additional revenues have been certified. The proposed legislation is intended to relieve real property tax burdens estimated to be \$27.6 million in FY 2004 and \$106.1 million in FY 2004 through FY 2007.

**Background**

The proposed legislation makes owner-occupied property eligible for a new tax credit. The proposed credit will be equal to the difference between the current real property tax liability and 112 percent of the previous year's real property tax liability. Eligibility is triggered by the conditions for the existing Homestead Deduction program. In addition, the proposed legislation will increase the maximum allowable District Homestead Deduction from \$30,000 to \$38,000. The proposed legislation clarifies Council's intent of preventing property tax bills from increasing more than 12 percent per year.

The Honorable Linda W. Cropp

FIS: Bill 15-303, "Owner-Occupant Residential Tax Credit and Exemption Act of 2004"

Page 2 of 2

**Financial Impact**

Funds are sufficient in FY 2004 through FY 2007 to implement the proposed legislation because additional revenues have been certified. No additional staff or resources will be required. The table in Figure 1 presents the projected reductions in tax burdens when the tax cap is reduced from the 25 percent limitation in current law to the 12 percent limitation on increases to real property tax and factors in the change to the maximum allowable limit of the Homestead Deduction from \$30,000 to \$38,000.

*Figure 1.*

<b>Impact on Local General Fund Revenue</b> ( <b>\$ in millions</b> )				
<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>4 -Year Total</b>
\$27.6	\$31.0	\$26.2	\$21.3	\$106.1

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-375

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

To approve, on an emergency basis, the acceptance and use of grants not appropriated in the District of Columbia Appropriations Act, 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "February Budget Modification of FY2004 Grant Funds Approval Emergency Act of 2004".

Sec. 2. Pursuant to section 417 of the District of Columbia Appropriations Act 2004, approved January 23, 2004 (Pub. Law 108-199; 118 Stat. 1042), the acceptance and use of the following grants are hereby approved:

Agency	Fund	Project	Funding Source	Program	Description	Amount
University of District of Columbia	6F9900	03	Federal	Scholarships for Disadvantaged Students (Speech Pathology (BACC))	Carryover from FY03 Budget	\$7,291.00
University of District of Columbia	6F9800	02	Federal	Health Careers Opportunity Program	Carryover from FY03 Budget	\$96,060
Department of Health	41PHCS	04	Federal	Cancer Surveillance	Increase Budget to meet Projected Expenditures	\$47,493
Parks and Recreation	GRNSPC	04	Private	GREENSPACE for DC	Established Budget Authority	\$100,000
Department of Health	41SHCL	04	Federal	Clinical Laboratory (CLIA)	Reduced Unnecessary Budget Authority	(\$36,744)

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Department of Health	41PHCF	04	Federal	Public Health Conference Support Cooperative Agreement	Established Budget Authority	\$10,000
Department of Health	32EHBE	03	Federal	Meaningful Bay Experience	Carryover from FY03 Budget	\$18,146
Department of Health	41EHIS	04	Federal	Pollution Prevention Incentive Grants	Established Budget Authority	\$30,000
Department of Transportation	ITCUS1	03	Federal	Intermodal Transportation Center	Established Budget Authority	\$4,933,988
Department of Transportation	SBELT1	00	Federal	Increased Seatbelt Use	Reduced Unnecessary Budget Authority	(\$2,064,630)
Office on Aging	3E1719	02	Federal	Caregivers	Carryover from FY03 Budget	\$165,121
Office of Aging	7A1715	02	Federal	Ombudsman	Carryover from FY03 Budget	\$540
Office of Aging	3B1320	03	Federal	Support Service	Carryover from FY03 Budget	\$227,720
Office of Aging	3C1712	03	Federal	Congregate Meals	Carryover from FY03 Budget	\$816,685
Office of Aging	3F1717	03	Federal	Preventive Health	Carryover from FY03 Budget	\$61,724
Office of Aging	3E1719	03	Federal	Caregivers	Carryover from FY03 Budget	\$134,691
Office of Aging	7B1716	03	Federal	Elder Abuse	Carryover from FY03 Budget	\$4,124
Office of Aging	11P201	03	Federal	Choice	Carryover from FY03 Budget	\$4,654
Energy Office	SHOPP3	03	Federal	State Heating Oil and Propane	Established Budget Authority	\$6,920

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Energy Office	SEPAC4	04	Federal	Arlington CNG Refueling Infrastructure	Established Budget Authority	\$150,000
Energy Office	SEPES4	04	Federal	Energy Efficiency and Renewable Energy Activities. Workshops Promoting Energy Star Products	Established Budget Authority	\$10,000
Energy Office	SEPLM4	04	Federal	Logic Models for State Energy Program	Established Budget Authority	\$7,500
Energy Office	SEPWC3	03	Federal	Wind Consumer Education Program	Established Budget Authority	\$10,000
Energy Office	SEP998	04	Federal	State Energy Program	Reduced Unnecessary Budget Authority	(\$264,073)
Energy Office	LIEA03	03	Federal	Low-Income Home Energy Assistance Program	Carryover from FY03 Budget	\$162,023
University of District of Columbia	6F2100	03	Federal	Agricultural Experiment Station	Carryover from FY03 Budget	\$287,364
University of District of Columbia	6F0100	03	Federal	Cooperative Extension Service	Carryover from FY03 Budget	\$366,570

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
University of District of Columbia	6F7200	03	Federal	Strengthening HBCU Title III	Reduced Unnecessary Budget Authority	(\$77,095)
Office of the Mayor	HEADUP	04	Federal	Heads Up Competitive	Established Budget Authority	\$907,984
Office of the Mayor	PDATAD	04	Federal	Administrative Funds	Established Budget Authority	\$29,063
Department of Health	32APBG	03	Federal	Substance Abuse Prevention Block Grant	Reduced Unnecessary Budget Authority	(184,176)
Department of Health	31APDF	03	Federal	Drug Free Schools	Reduced Unnecessary Budget Authority	(\$110,550)
Department of Health	41APHZ	04	Federal	All Hazards Plan	Established Budget Authority	\$98,144
Department of Health	42EHCP	04	Federal	Core Programs Cooperative	Reduced Unnecessary Budget Authority	(\$38,251)
Department of Health	41CISS	04	Federal	CISS - SECCS (PLANNING)	Established Budget Authority	\$100,000
Metropolitan Police Department	CP9600	98	Federal	COPS More 96	Carryover from FY03 Budget	\$16,011
Emergency Management	FE1392	02	Federal	ISC Counseling	Carryover from FY03 Budget	\$808,150
Emergency Management	PA1493	04	Federal	FEMA Public Assistance Program	Established Budget Authority	\$3,110,883
Emergency Management	CX0146	03	Federal	DOJ FY02	Carryover from FY03 Budget	\$122,000



## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Emergency Management	GR3566	04	Federal	FEMA Technical Assistance	Established Budget Authority	\$10,060
Emergency Management	GR3565	04	Federal	FEMA Planning	Established Budget Authority	\$10,100
Emergency Management	GR3592	03	Federal	CAP-MAP	Established Budget Authority	\$30,000
Emergency Management	SNOW03	02	Federal	Snow Removal	Carryover from FY03 Budget	\$379,665
Emergency Management	20ATT1	04	Federal	Terrorism	Reduced Unnecessary Budget Authority	(\$175,000)
Office of the City Administrator	FEM003	03	Federal	FEMA - All hazards EOP	Increase Budget to meet Projected Expenditures	\$50,000
Office of the City Administrator	BF9002	03	Federal	BYRNE Grant	Reduced Unnecessary Budget Authority	(\$2,000,000)
State Education Office	NSL001	04	Federal	Child and Adult Care Food Program	Reduced Unnecessary Budget Authority	(\$598,026)
State Education Office	NSB001	04	Federal	National School Breakfast	Reduced Unnecessary Budget Authority	(\$319,042)
State Education Office	NSS001	04	Federal	National School Supplements	Established Budget Authority	\$63,340
State Education Office	NSM001	04	Federal	Special Milk Program	Reduced Unnecessary Budget Authority	(\$2,848)
State Education Office	CAF001	04	Federal	Child and Adult Care Food Program	Reduced Unnecessary Budget Authority	(\$208,977)
State Education Office	CAS001	04	Federal	CACFP Sponsor Admin	Increase Budget to meet Projected Expenditures	\$8,147

MAR 12 2004

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
State Education Office	CAC001	04	Federal	CACFP Cash for Commodities	Reduced Unnecessary Budget Authority	(\$4,982)
State Education Office	CAA001	04	Federal	CACFP Audit	Increase Budget to meet Projected Expenditures	\$1,086
State Education Office	SFP001	04	Federal	Summer Food Service Program	Reduced Unnecessary Budget Authority	(\$754,722)
State Education Office	SFA001	04	Federal	SFSP Admin	Reduced Unnecessary Budget Authority	(\$69,233)
State Education Office	SSA001	04	Federal	SFSP SAF	Increase Budget to meet Projected Expenditures	\$2,000
State Education Office	SAE001	04	Federal	State Administration Expense	Increase Budget to meet Projected Expenditures	\$7,542
Office of the City Administrator	CHA001	01	Federal	Challenge	Carryover from FY03 Budget	\$87,500
Office of the City Administrator	BF9002	02	Federal	BYRNE Formula Grant	Carryover from FY03 Budget	\$413,617
Office of the City Administrator	CVA003	01	Federal	Crime Victim Assistance	Carryover from FY03 Budget	\$40,091
Office of the City Administrator	CVA003	02	Federal	Crime Victim Assistance	Carryover from FY03 Budget	\$65,812
Office of the City Administrator	CVA003	03	Federal	Crime Victim Assistance	Reduced Unnecessary Budget Authority	(\$75,389)

ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Office of the City Administrator	JA9001	01	Federal	Juvenile Accountability Incentive Block Grant	Reduced Unnecessary Budget Authority	(\$125,851)
Office of the City Administrator	JA9001	03	Federal	Juvenile Accountability Incentive Block Grant	Reduced Unnecessary Budget Authority	(\$69,699)
Office of the City Administrator	JJD902	02	Federal	Title II Formula Grant	Carryover from FY03 Budget	\$41,000
Office of the City Administrator	LL9001	01	Federal	Local Law	Reduced Unnecessary Budget Authority	(\$2,015,378)
Office of the City Administrator	LL9001	02	Federal	Local Law	Carryover from FY03 Budget	\$19,246
Office of the City Administrator	REN001	02	Federal	Serious and Violent Offender Reentry	Carryover from FY03 Budget	\$1,149,998
Office of the City Administrator	VOT601	96	Federal	Violent Offender Incarceration	Carryover from FY03 Budget	\$9,207,420
Office of the City Administrator	VOW801	98	Federal	STOP Violence Against Women	Reduced Unnecessary Budget Authority	(\$72,295)
Office of the City Administrator	VOW901	99	Federal	STOP Violence Against Women	Reduced Unnecessary Budget Authority	(\$58,158)
Office of the City Administrator	VOW901	00	Federal	STOP Violence Against Women	Reduced Unnecessary Budget Authority	(\$1,404)

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Office of the City Administrator	VOW901	01	Federal	STOP Violence Against Women	Reduced Unnecessary Budget Authority	(\$112,091)
Office of the City Administrator	VOW901	02	Federal	STOP Violence Against Women	Reduced Unnecessary Budget Authority	(\$20,000)
Office of the City Administrator	VOW901	03	Federal	STOP Violence Against Women	Carryover from FY03 Budget	\$48,000
Office of the City Administrator	DOM001	03	Federal	State Homeland Security	Carryover from FY03 Budget	\$9,412
DC Public Schools	000WBA	04	Private	Bell Atlantic Internet Wiring	Established Budget Authority	\$320,693
DC Public Schools	000WBH	04	Private	Baxter Int'l Health	Reduced Unnecessary Budget Authority	(\$35,000)
DC Public Schools	000WMR	04	Federal	Globe @ Marie Reed	Reduced Unnecessary Budget Authority	(\$20,000)
DC Public Schools	000LAL	04	Federal	English Language Acquisition	Increase Budget to meet Projected Expenditures	\$148,827
DC Public Schools	000LAN	04	Federal	English Language Acquisition	Reduced Unnecessary Budget Authority	(\$8,584)
DC Public Schools	000LAP	04	Federal	English Language Acquisition	Increase Budget to meet Projected Expenditures	\$13,391
DC Public Schools	000LAS	04	Federal	English Language Acquisition	Reduced Unnecessary Budget Authority	(\$261,136)

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
DC Public Schools	000LAZ	04	Federal	English Language Acquisition	Increase Budget to meet Projected Expenditures	\$92,392
DC Public Schools	000API	03	Federal	Advanced Placement Fee	Carryover from FY03 Budget	\$273,646
DC Public Schools	000DAB	03	Federal	Title V	Carryover from FY03 Budget	\$297,727
DC Public Schools	000DAC	03	Federal	Title V	Carryover from FY03 Budget	\$130,165
DC Public Schools	000DAE	03	Federal	Title V	Reduced Unnecessary Budget Authority	(\$346,056)
DC Public Schools	000DCA	03	Federal	Title V	Carryover from FY03 Budget	\$235,301
DC Public Schools	000DAM	03	Federal	Title V	Carryover from FY03 Budget	\$36,773
DC Public Schools	000DCC	03	Federal	Title V	Carryover from FY03 Budget	\$43,009
DC Public Schools	000EGZ	03	Federal	Migrant Education	Carryover from FY03 Budget	\$422,957
DC Public Schools	000TNT	03	Federal	Transition to Teaching Grant	Carryover from FY03 Budget	\$354,178
DC Public Schools	000TQE	03	Federal	Teacher Quality Enhancement	Carryover from FY03 Budget	\$1,016,416
DC Public Schools	000FAA	04	Federal	Vocational Education	Increase Budget to meet Projected Expenditures	\$26,651
DC Public Schools	000FAC	04	Federal	Vocational Education	Reduced Unnecessary Budget Authority	(\$67,768)

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
DC Public Schools	000FAD	04	Federal	Vocational Education	Increase Budget to meet Projected Expenditures	\$35,851
DC Public Schools	000FBE	04	Federal	Vocational Education	Increase Budget to meet Projected Expenditures	\$11,829
DC Public Schools	000FCG	04	Federal	Vocational Education	Increase Budget to meet Projected Expenditures	\$208,865
DC Public Schools	000FCI	04	Federal	Vocational Education	Reduced Unnecessary Budget Authority	(\$120,000)
DC Public Schools	000FCJ	04	Federal	Vocational Education	Reduced Unnecessary Budget Authority	(\$1,604,852)
DC Public Schools	000CLA	04	Federal	21 <sup>st</sup> Century Learning	Increase Budget to meet Projected Expenditures	\$55,120
DC Public Schools	000CRN	03	Federal	Career Resource Network	Carryover from FY03 Budget	\$111,863
DC Public Schools	000PCE	03	Federal	Partnership in Character Ed	Carryover from FY03 Budget	\$169,952
DC Public Schools	000QDG	03	Federal	Teachers & Personnel Grant	Reduced Unnecessary Budget Authority	(\$46,274)
DC Public Schools	000RBZ	03	Federal	Public Charter Schools	Carryover from FY03 Budget	\$600,702
DC Public Schools	000MAR	03	Federal	Comprehensive School-Project OMAR	Carryover from FY03 Budget	\$10,212

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
DC Public Schools	000HNA	03	Federal	Robert C. Byrd Scholarship	Carryover from FY03 Budget	\$60,000
DC Public Schools	000RIT	02	Federal	School Renovation Grant	Carryover from FY03 Budget	\$984,984
DC Public Schools	000HNP	03	Federal	Safe Schools-Healthy Students	Carryover from FY03 Budget	\$2,169,799
DC Public Schools	000CLA	03	Federal	21 <sup>st</sup> Century Learning	Carryover from FY03 Budget	\$44,144
DC Public Schools	000CLC	03	Federal	21 <sup>st</sup> Century Learning	Carryover from FY03 Budget	\$288,779
DC Public Schools	000CLS	03	Federal	21 <sup>st</sup> Century Learning	Carryover from FY03 Budget	\$30,454
DC Public Schools	000JBE	03	Federal	Special Education - Part B	Carryover from FY03 Budget	\$217,732
DC Public Schools	000JBM	03	Federal	Special Education -	Carryover from FY03 Budget	\$253,048
DC Public Schools	000CLC	04	Federal	21 <sup>st</sup> Century Learning	Reduced Unnecessary Budget Authority	(\$55,120)

## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Amount
Department of Health	41PHMT	04	Federal	Monitoring Trends	Established Budget Authority	\$60,000
State Education Office	CAF001	03	Federal	Child and Adult Care Food Program	Carryover from FY03 Budget	\$3,847
State Education Office	CAS001	03	Federal	CACFP Sponsor Admin.	Carryover from FY03 Budget	\$28
State Education Office	NSL001	03	Federal	National School Lunch	Carryover from FY03 Budget	\$11,308
State Education Office	SFA001	03	Federal	Summer Food Admin	Carryover from FY03 Budget	\$16,752
State Education Office	NSM001	03	Federal	Special Milk Program	Carryover from FY03 Budget	\$5
Department of Transportation	TRANSP	01	Federal	FY04 Transportation Elderly and Disabled	Increase Budget to meet Projected Expenditures	\$307,973



## ENROLLED ORIGINAL

Agency	Grant Number	Phase	Type	Grant Name	Reason for Request	Budget Authority
Department of Transportation	PLANNG	04	Federal	FY04 State & Metro Planning	Increase Budget to meet Projected Expenditures	\$204,990
Department of Transportation	NHTSA1	00	Federal	National Highway Transportation Safety Administration	Reduced Unnecessary Budget Authority	(\$160,683)

## Sec. 3. Fiscal impact statement.

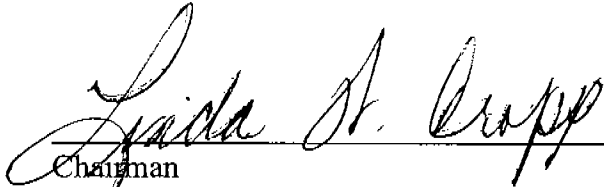
This legislation does not affect the District of Columbia's budget or financial plan and, therefore, has no fiscal impact.

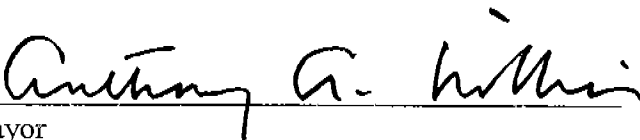
## Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813;  
D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

ENROLLED ORIGINAL

AN ACT

D.C. ACT 15-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 24, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, section 47-1803.02 of the District of Columbia Official Code to provide that the exclusion from gross income applies to amounts received by a claimant from any type of discrimination.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Income From Discrimination Exclusion Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 47-1803.02(a)(2)(U) of the District of Columbia Official Code is amended by striking the word "employment".

Note.  
§ 47-1803.02

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report for the Civil Rights Tax Fairness Act of 2002, effective June 25, 2002 (D.C. Law 14-165; D.C. Official Code § 47-1803.02), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

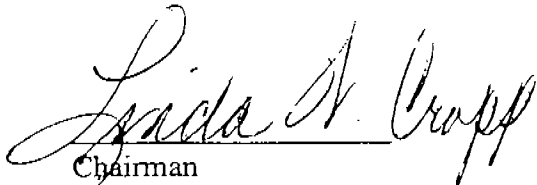
Sec. 4. Applicability.

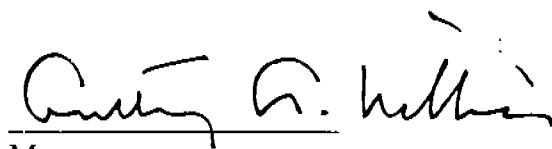
This act shall apply as of January 22, 2004.

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council in the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
February 24, 2004

AN ACT  
D.C. ACT 15-377

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 19, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.

West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Procurement Practices Act of 1985 to modify the conditions under which payment of supplies or services received by the District government without a valid written contract may be authorized.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Procurement Practices Vendor Payment Revised Approval Authorization Congressional Review Emergency Amendment Act of 2004".

Sec. 2 Section 105(d) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.05(d)), is amended as follows:

*Note,  
§ 2-301.05*

(a) Paragraph (5)(F)(ii) is amended to read as follows:

"(ii) If an agency exceeds the specified threshold, the payment requested by an agency director shall not be authorized until 30 days have elapsed after the Mayor submits a notice of the request to the Council; provided, that if the request is submitted to the Council less than 10 days prior to the upcoming legislative session, the period shall be 45 days."

(b) Paragraph (6) is amended to read as follows:

"(6) No authorization for payment for supplies and services received without a valid written contract shall occur more than 2 times with the same vendor. After 2 authorizations for payment without a valid written contract, the payment requested by an agency director shall not be authorized pursuant to paragraph (5) of this subsection until 30 days have elapsed after the Mayor submits a notice of the request to the Council; provided, that if the request is submitted to the Council less than 10 days prior to the upcoming legislative session, the period shall be 45 days."

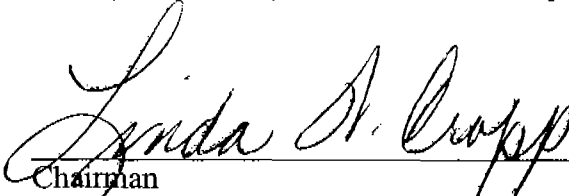
Sec. 3. Fiscal impact statement.


The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.2(c)(3)).

ENROLLED ORIGINAL

Sec. 4. Effective date.

This act shall take effect upon its approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning February 23, 2004, as provided for emergency acts of the Council of the District of Columbia in Section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.12(a)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

**COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT**

Type: Emergency ( <input checked="" type="checkbox"/> )    Temporary ( <input type="checkbox"/> )    Permanent ( <input type="checkbox"/> )	Date Reported: November 2003
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Subject/Short Title: "Procurement Practices Vendor Payment Revised Approval Authorization Emergency Amendment Act of 2003"

**Part I. Summary of the Fiscal Estimates of the Bill**

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	( )	( x )
a) It will affect local expenditures.	( )	( x )
b) It will affect federal expenditures.	( )	( x )
c) It will affect private/other expenditures.	( )	( x )
d) It will affect intra-District expenditures.	( )	( x )
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	( )	( x )
a) It will impact local revenue.	( )	( x )
b) It will impact federal revenue.	( )	( x )
c) It will impact private/other revenue.	( )	( x )
d) It will impact intra-District revenue.	( )	( x )
Explanation:		
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	( )	( x )

**Part II. Other Impact of the Bill**

If you check "Yes" for each question, please explain on separate sheet, if necessary.

	YES	NO
1. It will affect an agency and/or agencies in the District. The proposed emergency legislation will directly affect any agency that requests, receives, and authorizes payment for supplies or services without a valid written contract. The Office of Contracting and Procurement, would also have a role.	( x )	( )
2. Are there performance measures/output for this bill?	( )	( x )
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? The proposed emergency legislation will help to ensure that vendors who provided supplies or services to the District of Columbia government without a valid written contract receive timely payment for supplies provided or services rendered. In addition, it would limit the number of "friendly lawsuits" that are filed.	( x )	( )
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year? The proposed legislation would not authorize unbudgeted expenses.	( x )	( )

## ENROLLED ORIGINAL

## AN ACT

D.C. ACT 15-378

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 19, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Procurement Practices Act of 1985 to provide that the term of the Inspector General shall end in 2008 and shall not vary thereafter from a six-year term and to provide, subject to Congressional enactment, that in a non-control year, the Inspector General may be removed for cause by the Mayor with the approval of 2/3 of the members of the Council present and voting.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Inspector General Appointment and Term Clarification Congressional Review Emergency Amendment Act of 2004".

Sec. 2. Section 208(a)(1)(A) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-302.08(a)(1)(A)), is amended as follows:

Note,  
§ 2-302.08

(a) The existing text is re-designated as sub-subparagraph (i).

(b) A new sub-subparagraph (ii) is added to read as follows:

"(ii) The Inspector General first appointed by the Mayor, with the advice and consent of the Council, on or after November 4, 2003, shall serve until May 19, 2008. Each Inspector General appointed to fill the position after May 19, 2008, shall serve a 6-year term to end May 19, 2014, and every 6 years thereafter."

(c) A new sub-subparagraph (iii) is added to read as follows:

"(iii) During a year which is not a control year, the Inspector General shall be removed for cause by the Mayor with the approval of 2/3 of the members of the Council present and voting, by resolution."

Sec. 3. Applicability.

Section 2 (c) shall apply upon its enactment by Congress.

Sec. 4. Fiscal impact statement

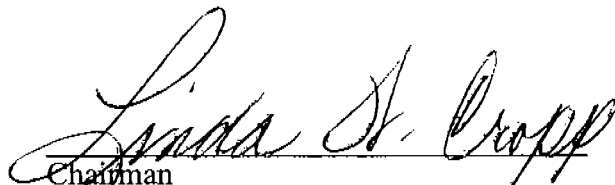
This legislation will have no fiscal impact. The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

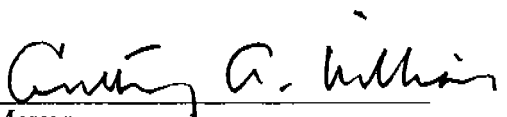


ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, beginning on February 23, 2004, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 19, 2004

**COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE BUDGET DIRECTOR FISCAL IMPACT STATEMENT**

Bill Number:	Type: Emergency (x) Temporary ( ) Permanent ( )	Date Reported: November 2003
Subject/Short Title: "The Inspector General Appointment and Term Clarification Amendment Emergency Act of 2003"		

**Part I. Summary of the Fiscal Estimates of the Bill**

- |  | YES  | NO  |
|--|------|-----|
| 1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet). | ( )  | (x) |
| a) It will affect local expenditures.  | ( )  | (x) |
| b) It will affect federal expenditures.  | ( )  | (x) |
| c) It will affect private/other expenditures.  | ( )  | (x) |
| d) It will affect intra-District expenditures.   | ( )  | (x) |
| 2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).  | ( )  | (x) |
| a) It will impact local revenue.   | ( )  | (x) |
| b) It will impact federal revenue.   | ( )  | (x) |
| c) It will impact private/other revenue.   | ( )  | (x) |
| d) It will impact intra-District revenue.  | ( )  | (x) |
| 3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).                | (X ) | ( ) |

Explanation: The bill will have no fiscal impact because it clarifies the terms of office for the new Inspector General.

**Part II. Other Impact of the Bill**

If you check "Yes" for each question, please explain on separate sheet, if necessary.

- |   | YES | NO   |
|---|-----|------|
| 1. It will affect an agency and/or agencies in the District.                          | ( ) | (x ) |
| 2. Are there performance measures/output for this bill?                               | ( ) | (x)  |
| 3. Will it have results/outcome, i.e., what would happen if this bill is not enacted? | (x) | ( )  |

If the bill is not enacted, the District may hire an Inspector General without providing clarity of the term of service and the terms for removal.

4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?  
 No funds are required to be appropriated because resources are in place to hire a new Inspector General and negotiate the terms of service.      ( )      (x)

Sources of information: Staff	Councilmember: Vincent B. Orange, Sr.
	Staff Person & Tel: Mercia E. Arnold, 724-8918
	Council Budget Director's Signature: <i>[Signature]</i>

11/4/03

## ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-379IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
FEBRUARY 27, 2004*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, Title 47 of the District of Columbia Official Code to de-couple section 47-1803 from the depreciation provisions added to the Internal Revenue Code of 1986 by the Jobs and Growth Tax Relief Reconciliation Act of 2003.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Depreciation Allowance for Small Business De-Coupling from the Internal Revenue Code Emergency Act of 2004".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1803.03 is amended as follows:

*Note,  
§ 47-1803.03*

(1) Subsection (a)(7) is amended as follows:

(A) Strike the phrase "September 11, 2004" and insert the phrase "January 1, 2005" in its place.

(B) Insert the following sentences at the end of the paragraph: "No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying Investment at which phaseout begins."

(2) Subsection (b)(6) is amended as follows:

(A) Strike the phrase "September 11, 2004" and insert the phrase "January 1, 2005" in its place.

(B) Insert the following sentences at the end of the paragraph: "No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying Investment at which phaseout begins."

(b) Section 47-1811.04 is amended to read as follows:

*Note,  
§ 47-1811.04*

"The basis used in determining the amount allowable as a deduction from gross income under the provisions of § 47-1803.03(a)(7) shall be the same basis as that provided for

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE CHIEF FINANCIAL OFFICER

ENROLLED ORIGINAL

DISTRICT OF COLUMBIA REGISTER

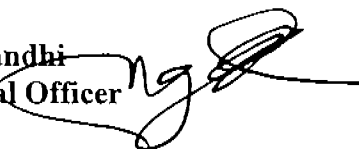


MAR 12 2004

Natwar M. Gandhi  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** FEB - 3 2004

**SUBJECT:** Fiscal Impact Statement: "Depreciation Allowance for Small Businesses  
De-Coupling from the Internal Revenue Code Act of 2003"

**REFERENCE:** Bill Number 15-637

---

**Conclusion**

The proposed legislation will prevent a decrease of local General Fund revenue. Without the proposed legislation, the potential net loss of revenue would be \$2.46 million in FY 2004 and \$9.29 million in FY 2004 through FY 2007.

**Background**

District income tax law generally follows federal law in the matter of depreciation expenses for business taxpayers. The proposed legislation de-couples District law from recent changes in federal rules affecting depreciation allowances for small businesses. Similar legislation has been passed in a number of states including Maryland and Virginia.

**Financial Plan Impact**

The proposed legislation will prevent a decrease of local General Fund revenue. In the absence of the proposed legislation, there would be a potential loss of \$2.46 million in FY 2004 and the net loss of revenue would be \$9.29 million in FY 2004 through FY 2007. The following table presents the potential revenue impact over the life of the current financial plan.

The Honorable Linda W. Cropp

FIS: Bill Number 15-637, "Depreciation Allowance for Small

Businesses De-Coupling from the Internal Revenue Code Act of 2003"

Page 2 of 2

Revenue Impact on the Financial Plan				
(\$ in 000s)				
FY 2004	FY 2005	FY 2006	FY 2007	4-Year Total
\$2.46	\$3.39	\$0.94	\$2.50	\$9.29

## ENROLLED ORIGINAL

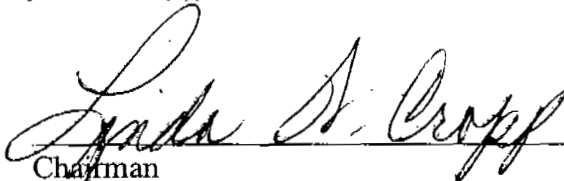
determining the gain from the sale or other disposition of property for federal income tax purposes under the Internal Revenue Code of 1986; provided, that no adjustment shall be made for the amount of the special depreciation allowance for property acquired after September 10, 2001 and before January 1, 2005 and subject to special rules pursuant to section 168(k) of the Internal Revenue Code of 1986. No deduction shall be allowed for the increased expensing for small businesses and subject to the special rules pursuant to section 179 of the Internal Revenue Code of 1986. No expensing of computer software shall be allowed. No increase shall be allowed in Qualifying investments at which phaseout begins.”.

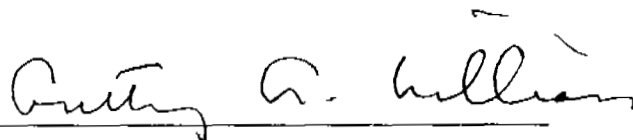
Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
February 27, 2004

## AN ACT

## D.C. ACT 15-380

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 27, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, Chapter 18 of Title 47 of the District of Columbia Official Code to clarify the administration of the long-term, low-income homeowner tax credit.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Low-Income, Long-Term Homeowner's Protection Clarification Emergency Act of 2004".

Sec. 2. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-1806.09f. Tax on residents and nonresidents - Credits - Lower income, long-term homeowner credit - Applicability date; Mayoral certification" and inserting the phrase "47-1806.09f. Tax on residents and nonresidents - Credits - Lower income, long-term homeowner credit - Applicability date - Application and administration" in its place.

(b) Section 47-1806.09f(b) is amended to read as follows:

*Note,  
§ 47-1806.09f*

"(b)(1) An eligible resident shall apply for the tax credit under § 47-1806.09a using an application form to be developed by the Office of Tax and Revenue. For tax year 2003, this form shall be developed by the Chief Financial Officer by April 1, 2004.

(2) An eligible resident who is required to file a District income tax form shall be required to include a copy of their tax return with the application for the credit."

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

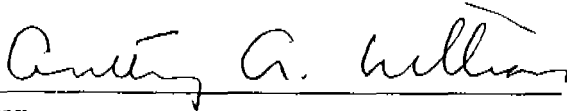
Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 27, 2004



## COUNCIL OF THE DISTRICT OF COLUMBIA

## OFFICE OF THE BUDGET DIRECTOR

## FISCAL IMPACT STATEMENT

Bill Number:	Type: Emergency (X) Temporary ( ) Permanent ( )	Date Reported: February 3, 2004
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Subject/Short Title: "Long-Term, Low-Income Homeowners' Protection Clarification Emergency Act of 2004".

Part I. Summary of the Fiscal Estimates of the Bill		YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).		( )	(x)
a) It will affect local expenditures.		( )	(x)
b) It will affect federal expenditures.		( )	(x)
c) It will affect private/other expenditures.		( )	(x)
d) It will affect intra-District expenditures.		( )	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).		( )	(x)
a) It will impact local revenue.		( )	(x)
b) It will impact federal revenue.		( )	(x)
c) It will impact private/other revenue.		( )	(x)
d) It will impact intra-District revenue.		( )	( )
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).		(x)	
Title IV of the Housing Act of 2001 (D.C. Law 14-114) is already provided for in the FY 2004 budget as adopted by the Mayor and the Council. This clarification will not result in any additional fiscal impact beyond that which we have already budgeted.			

Part II. Other Impact of the Bill		YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.			
1. It will affect an agency and/or agencies in the District.		(x)	( )
This legislation will simplify the administration of Title IV of the Housing Act of 2001.		( )	
2. Are there performance measures/output for this bill?		( )	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?		(x)	(x)
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?			( )
Title IV of the Housing Act of 2001 (D.C. Law 14-114) is already provided for in the FY 2004 budget as adopted by the Mayor and the Council.			

Sources of information: Committee staff, Office of the Deputy Mayor for Planning and Economic Development.	Councilmember: Evans
	Staff Person & Tel: Jeff Coudriet, 202/724-8058.
	Council Budget Director's Signature: <i>[Signature]</i>

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 15-381

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEBRUARY 27, 2004

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2004 Summer  
Supp.West Group  
Publisher

To amend, on an emergency basis, the 21<sup>st</sup> Century Financial Modernization Act of 2000, and the International Banking Act of 2000, and the Department of Insurance and Securities Regulation Establishment Act of 1996 to transfer the functions of the Department of Banking and Financial Institutions into the Department of Insurance and Securities Regulation and to rename the Department of Insurance and Securities Regulation as the Department of Insurance, Securities, and Banking, and to amend the Home Loan Protection Act of 2002, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, the District of Columbia Theft and White Collar Crimes Act of 1982, the Holding Company System Act of 1993, the Insurance Industry Material Transactions Disclosure Act of 1996, the Producer Licensing Act of 2002, the Insurance Regulatory Trust Fund Act of 1993, the Insurers Rehabilitation and Liquidation Act of 1993, the Risk-Based Capital Act of 1996, the Insurance State of Entry Act of 1996, the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, the Diabetes Health Insurance Coverage Expansion Act of 2000, the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle, Insurance Act of 1998, the Health Maintenance Organization Act of 1996, the Hospital and Medical Services Corporation Regulatory Act of 1996, the Long-Term Care Insurance Act of 2000, the Captive Insurance Company Act of 2000, the Liability Coverage for Child Development Homes Insurance Act of 1990, the Risk Retention Act of 1993, the Insurance Omnibus Amendment Act of 1994, the Life Insurance Actuarial Opinion of Reserves Act of 1993, the Omnibus Regulatory Reform Amendment Act of 1998, the Life and Health Insurance Guaranty Association Act of 1992, the Securities Act of 2000, the Continuation of Health Coverage Act of 2002, An Act To regulate marine insurance in the District of Columbia, and for other purposes, An Act To provide for regulation of certain insurance rates in the District of Columbia, and for other purposes, the Life Insurance Act of 1934, the Omnibus Regulatory Reform Amendment Act of 1998, and the District of Columbia Workers' Compensation Act of 1979 to make conforming amendments.

## ENROLLED ORIGINAL

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Consolidation of Financial Services Emergency Amendment Act of 2004".

Sec. 2. The 21<sup>st</sup> Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.01 *et seq.*), is amended as follows:

(a) Sections 102(7), (9), and (18) (D.C. Official Code § 26-551.02(7), (9), and (18)) are amended by striking the phrase "Department of Banking and Financial Institutions" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 26-551.02

(b) Section 103 (D.C. Official Code § 26-551.03) is amended as follows:

Note,  
§ 26-551.03

(1) The section heading is amended to read as follows:

"Administration of the District of Columbia Banking Code."

(2) Subsection (a) is repealed.

(3) Subsection (b) is amended by striking the phrase "of Banking and Financial Institutions is established and".

(4) Subsection (c) is amended to read as follows:

"(c) The Department of Banking and Financial Institutions and the position of the Commissioner of the Department of Banking and Financial Institutions are abolished."

(5) Subsections (d), (e), and (f) are repealed.

(6) Subsection (g) is amended by striking the second sentence.

(7) Subsection (h) is repealed.

(c) Section 104 (D.C. Official Code § 26-551.04) is repealed.

Note,  
§ 26-551.04

(d) Section 107(b) (D.C. Official Code § 26-551.07(b)) is amended by striking the phrase "and the Commissioner of the Department of Insurance and Securities Regulation".

Note,  
§ 26-551.07

(e) Section 202 (D.C. Official Code § 26-1401.02) is amended as follows:

Note,  
§ 26-1401.02

(1) Paragraph (7) is amended to read as follows:

"(7) "Commissioner" shall have the same meaning as set forth in section 102(7)."

(2) Paragraph (9) is amended to read as follows:

"(9) "Department" shall have the same meaning as set forth in section 102(9)."

(f) Section 209(a) (D.C. Official Code § 26-1401.09(a)) is amended by striking the phrase "of the Department of Insurance and Securities Regulation".

Note,  
§ 26-1401.09

(g) Section 215(a) (D.C. Official Code § 26-1401.15(a)) is amended as follows:

Note,  
§ 26-1401.15

(1) Strike the phrase "of Insurance and Securities Regulation" wherever it appears.

(2) Strike the phrase ", with the approval of the Commissioner of the Department of Insurance and Securities Regulation,".

(h) Section 217(a) (D.C. Official Code § 26-1401.17(a)) is amended by striking the

Note,  
§ 26-1401.17

## ENROLLED ORIGINAL

phrase "of the Department of Insurance and Securities Regulation".

(i) Section 302 (D.C. Official Code § 26-831.02) is amended as follows:

Note,  
§ 26-831.02

(1) Paragraph (4) is amended to read as follows:

"(4) "Commissioner" shall have the same meaning as set forth in section 102(7)."

(2) Paragraph (5) is amended to read as follows:

"(5) "Department" shall have the same meaning as set forth in section 102(9)."

(j) Section 312(a) (D.C. Official Code § 26-831.12(a)) is amended by striking the phrase "of the Department of Insurance and Securities Regulation".

Note,  
§ 26-831.12

(k) Section 402 (D.C. Official Code § 26-431.02) is amended as follows:

Note,  
§ 26-431.02

(1) Paragraph (3) is amended to read as follows:

"(3) "Commissioner" shall have the same meaning as set forth in section 102(7)."

(2) Paragraph (4) is amended to read as follows:

"(4) "Department" shall have the same meaning as set forth in section 102(9)."

(l) Section 502 (D.C. Official Code § 26-131.02) is amended as follows:

Note,  
§ 26-131.02

(1) Paragraph (3) is amended by striking the word "conducted" and inserting the word "conducted" in its place.

(2) Paragraph (6) is amended to read as follows:

"(6) "Commissioner" shall have the same meaning as set forth in section 102(7)."

Sec. 3. The Department of Insurance and Securities Regulation Establishment Act of 1996, effective May 21, 1997 (D.C. Law 11-268; D.C. Official Code § 31-101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 31-101) is amended as follows:

Note,  
§ 31-101

(1) A new paragraph (1) is added to read as follows:

"(1) "Banking Bureau" means the Bureau of Banking and Financial Institutions."

(2) A new paragraph (1A) is added to read as follows:

"(1A) "Banking Director" means the Director of the Bureau of Banking and Financial Institutions."

(3)(A) The existing paragraph (1) is re-designated as paragraph (1B).

(B) Re-designated paragraph (1B) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(4) Paragraph (2) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

## ENROLLED ORIGINAL

(b) Section 3 (D.C. Official Code § 31-102) is amended to read as follows:

Note,  
§ 31-102

"The Department, under the supervision of the Commissioner, is established as a cabinet level agency of the District government."

(c) Section 4(a) (D.C. Official Code § 31-103(a)) is amended as follows:

Note,  
§ 31-103

(1) Paragraph (2) is amended by striking the phrase "of Insurance and Securities".

(2) A new paragraph (3) is added to read as follows:

"(3) Pursuant to sections 103 and 105 of the 21<sup>st</sup> Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code §§ 26-551.03 and 26-551.05), the Commissioner, through the Banking Bureau, shall administer the District of Columbia Banking Code."

(d) Section 5 (D.C. Official Code § 31-104) is amended by striking the phrase "of Insurance and Securities".

Note,  
§ 31-104

(e) Section 6 (D.C. Official Code § 31-105) is amended as follows:

Note,  
§ 31-105

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) are added to read as follows:

"(b) All powers, duties, and functions transferred to the Department of Banking and Financial Institutions under section 103 of the 21st Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.03), are hereby transferred to the Department."

"(c) All positions, property, records, and unexpended balances of appropriations, allocations, assessments, and other funds available or to be made available to the Department of Banking and Financial Institutions under section 103 of the 21st Century Financial Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.03), are hereby transferred to the Department."

(f) Section 7 (D.C. Official Code § 31-106) is amended as follows:

Note,  
§ 31-106

(1)(A) The existing text is designated as subsection (a).

(B) Re-designated subsection (a) is amended as follows:

(i) Strike the phrase "Commissioner of Insurance and Securities" and insert the word "Commissioner" in its place.

(ii) Strike the phrase "Department of Insurance and Securities Regulation" and insert the word "Department" in its place.

(2) A new subsection (b) is added to read as follows:

"(b)(1) The Bureau of Banking and Financial Institutions is hereby established to administer the District of Columbia Banking Code under supervision of the Commissioner.

"(2) The position of Director of the Bureau of Banking and Financial Institutions is hereby established to administer the Banking Bureau under the supervision of the Commissioner."

(g) Section 8 (D.C. Official Code § 31-107) is amended as follows:

Note,  
§ 31-107

## ENROLLED ORIGINAL

(1) Subsection (a) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the word "Department" in its place.

(2) A new subsection (b-1) is added to read as follows:

"(b-1) There is established within the General Fund of the District of Columbia a trust fund designated as the Banking Regulatory Trust Fund, to which shall be credited all funds obtained pursuant to banking regulation. Any monies received but not expended in a given fiscal year shall be returned to the General Fund of the District of Columbia. Subject to the applicable laws relating to the appropriation of District funds, monies received and deposited in the Banking Regulatory Trust Fund shall be used to fund the expenses of the Banking Bureau in the discharge of its administrative and regulatory duties as prescribed by law. All licensing fees and fines, and any other fees determined by the Mayor to be necessary to banking regulation, shall be collected by the Banking Bureau and deposited into the fund. The Mayor shall be responsible for the deposit and expenditure of these monies as provided by law."

(3) Subsection (d) is amended by striking the phrase "and the Security Regulatory Trust Fund" and inserting the phrase ", the Security Regulatory Trust Fund, and the Banking Regulatory Trust Fund" in its place.

#### Sec. 4. Conforming amendments.

(a) Section 301(17) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-603.01), is amended as follows:

Note,  
§ 1-603.01

(1) Subparagraph (JJ) is repealed.

(2) Subparagraph (PP) is amended to read as follows:

"(PP) Department of Insurance, Securities, and Banking;"

(b) The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3201 *et seq.*), is amended as follows:

(1) Section 125a(2) (D.C. Official Code § 22-3225.01) is amended to read as follows:

Note,  
§ 22-3225.01

"(2) "Commissioner" means the Commissioner of the Department of Insurance, Securities, and Banking, the Commissioner's designee, or the Department of Insurance, Securities, and Banking."

(2) Section 125h(d) (D.C. Official Code § 22-3225.08) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 22-3225.08

(3) Section 125m (D.C. Official Code § 22-3225.13) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 22-3225.13

(c) Section 2 of the International Banking Act of 2000, effective April 3, 2001 (D.C.

Note,  
§ 26-631

## ENROLLED ORIGINAL

Law 13-268; D.C. Official Code § 26-631), is amended as follows:

(1) Paragraph (2) is amended to read as follows:

“(2) “Commissioner” shall have the same meaning as set forth in section 102(7) of the 21<sup>st</sup> Century Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.02(7)).”.

(2) Paragraph (3) is amended to read as follows:

“(3) “Department” shall have the same meaning as set forth in section 102(9) of the 21<sup>st</sup> Century Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.02(9)).”.

(d) Section 101 of the Home Loan Protection Act of 2002, effective May 7, 2002 (D.C. Law 14-132; D.C. Official Code § 26-1151.01), is amended as follows:

Note,  
§ 26-1151.01

(1) Paragraph (6) is amended to read as follows:

“(6) “Commissioner” shall have the same meaning as set forth in section 102(7) of the 21<sup>st</sup> Century Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.02(7)).”.

(2) Paragraph (8) is amended to read as follows:

“(8) “Department” shall have the same meaning as set forth in section 102(9) of the 21<sup>st</sup> Century Modernization Act of 2000, effective June 9, 2001 (D.C. Law 13-308; D.C. Official Code § 26-551.02(9)).”.

(e) Section 9 of the Holding Company System Act of 1993, effective October 21, 1993 (D.C. Law 10-44; D.C. Official Code § 31-708), is amended by striking the phrase “Department of Insurance and Securities Regulation” wherever it appears and inserting the phrase “Department of Insurance, Securities, and Banking” in its place.

Note,  
§ 31-708

(f) Section 4a of the Insurance Industry Material Transactions Disclosure Act of 1996, effective October 21, 2000 (D.C. Law 13-191; D.C. Official Code § 31-1004), is amended by striking the phrase “Department of Insurance and Securities Regulation” wherever it appears and inserting the phrase “Department of Insurance, Securities, and Banking” in its place.

Note,  
§ 31-1004

(g) The Producer Licensing Act of 2002, effective March 27, 2003 (D.C. Law 14-264; D.C. Official Code § 31-1131 *et seq.*), is amended as follows:

(1) Section 2 (D.C. Official Code § 31-1131.02) is amended by striking the phrase “Commissioner of Insurance and Securities” and inserting the phrase “Commissioner of the Department of Insurance, Securities, and Banking” in its place.

Note,  
§ 31-1131.02

(2) Section 15 (D.C. Official Code § 31-1131.15) is amended by striking the phrase “Department of Insurance and Securities Regulation” wherever it appears and inserting the phrase “Department of Insurance, Securities, and Banking” in its place.

Note,  
§ 31-1131.15

(h) The Insurance Regulatory Trust Fund Act of 1993, effective October 21, 1993 (D.C. Law 10-40; D.C. Official Code § 31-1201 *et seq.*), is amended as follows:

(1) Section 2 (D.C. Official Code § 31-1201) is amended as follows:

(A) Strike the phrase “Commissioner of Insurance and Securities” and

Note,  
§ 31-1201

## ENROLLED ORIGINAL

insert the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(B) Strike the phrase "Department of Insurance and Securities Regulation" and insert the phrase "Department of Insurance, Securities, and Banking" in its place.

(2) Section 3 (D.C. Official Code § 31-1202) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1202

(3) Section 9 (D.C. Official Code § 31-1208) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1208

(4) Section 10 (D.C. Official Code § 31-1209) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1209

(i) The Insurers Rehabilitation and Liquidation Act of 1993, effective October 15, 1993 (D.C. Law 10-35; D.C. Official Code § 31-1301 *et seq.*), is amended as follows:

(1) Section 2 (D.C. Official Code § 31-1301) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1301

(2) Section 4 (D.C. Official Code § 31-1303) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1303

(3) Section 10 (D.C. Official Code § 31-1309) is amended as follows:

(A) Strike the phrase "Department of Insurance Securities" and insert the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1309

(B) Strike the phrase "Department of Insurance and Securities Regulation" and insert the phrase "Department of Insurance, Securities, and Banking" in its place.

(4) Section 13(b) (D.C. Official Code § 31-1312(b)) is amended by striking the phrase "Department of Insurance and Securities" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1312

(5) Section 20(a) (D.C. Official Code § 31-1319(a)) is amended by striking the phrase "Department of Insurance and Securities" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1319

(j) Section 2 of the Law on Examinations Act of 1993, effective October 21, 1993 (D.C. Law 10-49; D.C. Official Code § 31-1401), is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1401

(k) Section 4 of the Required Annual Financial Statements and Participation in the



## ENROLLED ORIGINAL

NAIC Insurance Regulatory Information System Act of 1993, effective October 21, 1993 (D.C. Law 10-42; D.C. Official Code § 31-1903), is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-1903

(l) The Risk-Based Capital Act of 1996, effective April 9, 1997 (D.C. Law 11-233; D.C. Official Code § 31-2001 *et seq.*), is amended as follows:

(1) Section 2 (D.C. Official Code § 31-2001) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2001

(2) Section 9 (D.C. Official Code § 31-2008) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2008

(3) Section 12 (D.C. Official Code § 31-2011) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2011

(m) Section 2 of the Insurance State of Entry Act of 1996, effective May 24, 1996 (D.C. Law 11-128; D.C. Official Code § 31-2201), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2201

(n) Section 3 of the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective July 22, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2402), is amended by striking the phrase "Commissioner of Insurance and Securities, established by Reorganization Order No. 43, dated June 23, 1953," and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2402

(o) Section 1 of An Act To regulate marine insurance in the District of Columbia, and for other purposes, approved March 4, 1922 (42 Stat. 401; D.C. Official Code § 31-2602.01), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2602.01

(p) Section 1 of An Act To provide for regulation of certain insurance rates in the District of Columbia, and for other purposes, approved May 20, 1968 (62 Stat. 242; D.C. Official Code § 31-2701), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-2701

(q) Section 2 of the Diabetes Health Insurance Coverage Expansion Act of 2000, effective October 21, 2000 (D.C. Law 13-175; D.C. Official Code § 31-3001), is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3001

(r) Section 2 of the Drug Abuse, Alcohol Abuse, and Mental Illness Insurance Coverage Act of 1986, effective February 28, 1987 (D.C. Law 6-195; D.C. Official Code § 31-3101), is

Note,  
§ 31-3101

## ENROLLED ORIGINAL

amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(s) The Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle Insurance Act of 1998, effective April 13, 1999 (D.C. Law 12-209; D.C. Official Code § 31-3301.01 *et seq.*), is amended as follows:

(1) Section 101 (D.C. Official Code § 31-3301.01) is amended by striking the phrase "Commissioner of the Department of Insurance and Securities Regulation" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3301.01

(2) Section 302 (D.C. Official Code § 31-3303.02) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3303.02

(t) Section 2 of the Health Maintenance Organization Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3401), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3401

(u) The Hospital and Medical Services Corporation Regulatory Act of 1996, effective April 9, 1997 (D.C. Law 11-245; D.C. Official Code § 31-3501 *et seq.*), is amended as follows:

(1) Section 3(b)(2) (D.C. Official Code § 31-3502(b)(2)) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3502

(2) Section 5(b) (D.C. Official Code § 31-3504(b)) is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3504

(3) Section 15(j)(3) (D.C. Official Code § 31-3514(j)(3)) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3514

(4) Section 22(b)(3) (D.C. Official Code § 31-3521(b)(3)) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3521

(5) Section 23 (D.C. Official Code § 31-3522) is amended by striking the phrase "Department of Insurance and Securities Regulation" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3522

(v) Section 2 of the Long-Term Care Insurance Act of 2000, effective May 23, 2000 (D.C. Law 13-121; D.C. Official Code § 31-3601), is amended by striking the phrase "Commissioner of the District of Columbia Department of Insurance and Securities Regulation" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-3601

(x) Section 2 of the Captive Insurance Company Act of 2000, effective October 21, 2000 (D.C. Law 13-192; D.C. Official Code § 31-3901), is amended by striking the phrase

Note,  
§ 31-3901

## ENROLLED ORIGINAL

"Department of Insurance and Securities Regulation" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

(y) Section 2 of the Liability Coverage for Child Development Homes Insurance Act of 1990, effective June 13, 1990 (D.C. Law 8-140; D.C. Official Code § 31-4001), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-4001

(z) Section 2 of the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4101), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-4101

(aa) Section 2 of the Insurance Omnibus Amendment Act of 1994, effective April 26, 1994 (D.C. Law 10-103; D.C. Official Code § 31-4202), is amended as follows:

Note,  
§ 31-4202

(1) Strike the phrase "Commissioner of Insurance and Securities" and insert the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(2) Strike the phrase "Department of Insurance and Securities Regulation" and insert the phrase "Department of Insurance, Securities, and Banking" in its place.

(bb) Section 1(a) of Chapter II of the Life Insurance Act, approved June 19, 1934 (48 Stat. 1129; D.C. Official Code § 31-4301(a)), is amended as follows:

Note,  
§ 31-4301

(1) Strike the phrase "Department of Insurance and Securities Regulation" and insert the phrase "Department of Insurance, Securities, and Banking" in its place.

(2) Strike the phrase "Commissioner of Insurance and Securities" and insert the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(cc) Section 2 of the Life Insurance Actuarial Opinion of Reserves Act of 1993, effective October 21, 1993 (D.C. Law 10-50; D.C. Official Code § 31-4901) is amended by striking the phrase "Department of Insurance and Securities Regulation" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-4901

(dd) Section 2 of The Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance, approved September 25, 1962 (76 Stat. 580; D.C. Official Code § 31-5102), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-5102

(ee) Section 648 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1290; D.C. Official Code § 31-5201), is amended by striking the phrase "Commissioner of Insurance and Securities" wherever it appears and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-5201

(ff) Section 1202 of the Omnibus Regulatory Reform Amendment Act of 1998, effective April 29, 1998 (D.C. Law 12-86; D.C. Official Code § 31-5301), is amended by striking the

Note,  
§ 31-5301

## ENROLLED ORIGINAL

phrase "Commissioner of Insurance of the District of Columbia" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

(gg) Section 2 of the Life and Health Insurance Guaranty Association Act of 1992, effective July 22, 1992 (D.C. Law 9-129; D.C. Official Code § 31-5401), is amended by striking the phrase "Commissioner of Insurance and Securities" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-5401

(hh) Section 101 of the Securities Act of 2000, effective October 26, 2000 (D.C. Law 13-203; D.C. Official Code § 31-5601.01), is amended by striking the phrase "Department of Insurance and Securities Regulation" wherever it appears and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 31-5601.01

(ii) Section 2 of the Continuation of Health Coverage Act of 2002, effective June 25, 2002 (D.C. Law 14-149; D.C. Official Code § 32-731), is amended by striking the phrase "Commissioner of the Department of Insurance and Securities Regulation" and inserting the phrase "Commissioner of the Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 32-731

(jj) The District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1501 *et seq.*), is amended as follows:

(1) Section 39 (D.C. Official Code § 32-1538) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 32-1538

(2) Section 44 (D.C. Official Code § 32-1543) is amended by striking the phrase "Department of Insurance and Securities Regulation" and inserting the phrase "Department of Insurance, Securities, and Banking" in its place.

Note,  
§ 32-1543

#### Sec. 5. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

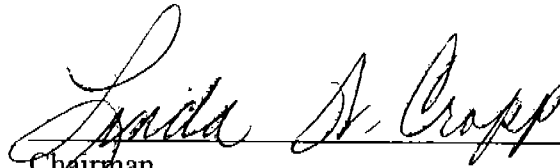
#### Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
February 27, 2004

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**OFFICE OF THE BUDGET DIRECTOR** **FISCAL IMPACT STATEMENT**

Bill Number:	Type: Emergency ( <input checked="" type="checkbox"/> ) Temporary ( <input type="checkbox"/> ) Permanent ( <input type="checkbox"/> )	Date Reported: February 3, 2004
Subject/Short Title: "Consolidation of Financial Services Emergency Amendment Act of 2004"		
<b>Part I. Summary of the Fiscal Estimates of the Bill</b>		
	<b>YES</b>	<b>NO</b>
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	( )	( x )
a) It will affect local expenditures.	( )	( x )
b) It will affect federal expenditures.	( )	( x )
c) It will affect private/other expenditures.	( )	( x )
d) It will affect intra-District expenditures.	( )	( x )
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).		
a) It will impact local revenue.	( )	( x )
b) It will impact federal revenue.	( )	( x )
c) It will impact private/other revenue. See below	( )	( x )
d) It will impact intra-District revenue.	( )	( x )
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	( x )	( )
<p>Explanation:</p> <p>The proposed legislation would transfer the functions of the Department of Banking and Financial Services to the Department of Insurance and Securities Regulation thus creating the Department of Insurance, Securities and Banking. The fiscal impact of the transfer of the authority is non existent and the net fiscal impact will be positive for the District's general fund. The Office of the Chief Financial Officer has provided an FIS for the permanent legislation that was passed on first reading on January 7, 2004.</p>		
<b>Part II. Other Impact of the Bill</b>		
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
	<b>YES</b>	<b>NO</b>
1. It will affect an agency and/or agencies in the District. Department of Insurance and Securities Regulation and the Department of Banking and Financial Institutions.	( x )	( )
2. Are there performance measures/output for this bill?	( )	( x )
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	( x )	( )
-- See explanation above --		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	( )	( x )
Sources of information:	Councilmember: Sharon Ambrose, Chair, Committee on Consumer and Regulatory Affairs Staff Person & Tel: David Grosso - 724-8072 Council Budget Director's Signature: <i>[Signature]</i>	

1/28/04